

# JEWELL NOMINATION

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HEARING  
BEFORE THE  
COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
UNITED STATES SENATE  
ONE HUNDRED THIRTEENTH CONGRESS  
FIRST SESSION  
TO  
CONSIDER THE NOMINATION OF SALLY JEWELL TO BE THE  
SECRETARY OF THE INTERIOR

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MARCH 7, 2013



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## JEWELL NOMINATION

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THURSDAY, MARCH 7, 2013

U.S. SENATE,  
COMMITTEE ON ENERGY AND NATURAL RESOURCES,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:02 a.m. in room SD-366, Dirksen Senate Office Building, Hon. Ron Wyden, chairman, presiding.

### OPENING STATEMENT OF HON. RON WYDEN, U.S. SENATOR FROM OREGON

The CHAIRMAN. The committee will come to order.

This morning the committee meets to consider the nomination of Sally Jewell, to be the Secretary of the Interior.

With authorities ranging from managing National Parks to off-shore oil and gas development, to protecting fish and wildlife, serving as Secretary of Interior is almost like an extreme sport for multi-taskers. We will hear this morning from Sally Jewell, who knows a bit about multi-tasking from having been a petroleum engineer, a corporate CEO, a banker, and a conservationist. She will certainly need to draw on all of these experiences and more to tackle the multiple responsibilities of Secretary of the Interior.

Probably the biggest challenge Ms. Jewell faces will be striking the right balance between the Secretary's dual roles of both conserving and developing our resources. The tradeoffs, as we've talked about, are complicated because we Americans want to have it all. We want to have jobs and protect our scenic treasures and obviously that can be easier said than actually done.

I also intend to discuss the fact that Americans now spend \$646 billion a year on outdoor recreation, generating nearly \$40 billion in Federal tax revenue. So the economics of public lands have changed in America. Recreation has become a big jobs engine. It will be good for our economy if it grows bigger.

I think we all understand that jobs in America come from the private sector. If, through the Department, we can look to come up with innovative, fresh policies to set the climate for job growth and protecting our treasures, that will certainly be good for our country. As the former CEO of a nearly \$2 billion outdoor equipment company, Ms. Jewell's experience makes her especially well positioned to address this issue of maximizing jobs created and revenues generated for Federal taxpayers from recreation on public lands and the businesses that are supported.

Finally, my home State of Oregon has no shortage of challenging resource issues. Whether it is managing the checkerboard pattern

of our O and C lands to get the timber cut up while protecting our environmental values, addressing the intractable water conflicts in the Klamath Basin, or developing renewable energy in our forests or off the Oregon coast, there's plenty to keep the Secretary of Interior busy for the next 4 years.

Now I realize the next Secretary of Interior cannot spend all her time focused solely on Oregon issues anymore than I can as chairman of the committee. Certainly there are important national issues that must be addressed. These include ensuring taxpayers receive full value for resources produced from Federal lands, managing the renewable and natural gas energy boom to ensure it is done in an environmentally responsible fashion, and finding a long-term solution to provide resource dependent communities across the country a fair share of the revenue from Federal lands.

On this last issue, our committee is going to be holding a hearing on the Secure Rural Schools Program fairly shortly. This program, one that I authored with our former colleague, Senator Larry Craig, has been a lifeline for timber dependent communities across our country. The funding expired last year. Cash-strapped communities are facing deadlines later this spring to decide about retaining teachers, whether or not to close schools, what to do about law enforcement and roads, and so many other basic services.

But I want to say as we look forward to that debate, that a short-term extension is not a long-term solution for these communities. We've got to get our people back to work in the woods, for example. We've got to make sure that we can increase the number of jobs in resource dependent communities where there's Federal land and Federal water. We believe that can be done consistent with protecting our environmental values. I certainly look forward to working with colleagues of both parties on these kinds of approaches, a broader revenue sharing effort that can provide affected States and communities with a share of the money generated from resource extraction from nearby Federal lands or Federal waters.

So there are a host of challenges that await our next Secretary. I'm particularly pleased that Ms. Jewell is spending so much time talking to Senators, talking to experts in the field, and especially with this being a new position for Ms. Jewell, the fact that she is spending a lot of time talking to both elected officials of both political parties and experts in the field is very welcome.

So, Ms. Jewell, let me yield to my Ranking Minority Member and friend, Senator Murkowski. But we're all looking forward to hearing about your plans to tackle these and many other challenges and about your vision for the future of the Department.

**STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR  
FROM ALASKA**

Senator MURKOWSKI. Thank you, Mr. Chairman.

Ms. Jewell, welcome to the committee. Thank you for your willingness to serve.

I echo the chairman's comments about my appreciation for the time that you have spent visiting with so many of us, not only talking, but listening. We all recognize that that is so key. That is so important.

I know that there are many questions. We've got a good round up here this morning in committee. So I will get right to the point in my opening comments here.

For the past several weeks much of my time has been focused on a decision that came out of the Department of Fish and Wildlife Service. A decision that has really rattled me to the core, to put it very simply. That agency somehow found cause to oppose a single lane, ten mile gravel road, non commercial use, that would connect King Cove, Alaska to the all weather airport of Cold Bay.

The reason that we need this very simple road is equally simple. It is for the safety of human life which is at risk. That road would give anyone that is injured or ill a much better chance of surviving, especially when the weather is far more severe than perhaps we might have seen in this region yesterday.

Now, Ms. Jewell, we discussed this issue in person last week. So I'm not going to devote much of my time here today to that. But what I will say is that this issue should never reach your desk should you be confirmed.

Secretary Salazar has stated that he has a moral obligation to uphold the trust responsibility for American Indians and Alaska natives. I know that in your written statement you provide that one of your top priorities is in upholding the sacred trust responsibilities to the Native American and the Alaska native communities. Respect for the Aleuts must be balanced with respect for the refuge.

It's my expectation that Secretary Salazar will look into his heart. He will consider that moral obligation. He will make the right decision to allow that land exchange and the road to proceed. Until that happens King Cove will stand as a prime example of Federal over reach and the harm that it can cause.

The reality is, is that nearly all of us, particularly those of us in the western States, we all have our own King Cove. We all have our own example of where we see that intrusion there. We are all aware of instances where misguided Federal restrictions are making it harder for local people to live, to be safe, to prosper. We can all relate examples of a lack of balance in the Department's policies that should further, but too often ignore its mission to honor multiple uses of public lands.

Now I would anticipate that you're going to hear two main sets of concerns expressed today.

The first will be as it relates to your experience. I will acknowledge, it is very important to have a background in energy development as you do. I've enjoyed the conversation in understanding more of where you have come from. More recently in your career you have focused on conservation. You do have less experience, less familiarity with public lands policy than many past nominees for this position. Some of the issues where you have weighed in, including the Wild Lands Initiative, are unsettling to many.

So as a result I think this morning you need to convince us that you will maintain that balance in the various missions and the interests of the Department of the Interior. We're looking for you to demonstrate an understanding of the issues that face our States. Again, we're looking for your strong commitment to this tenant of multiple use. We need you to affirm that public lands provide not

just a playground for recreational enthusiasts, as important as that is, but also paychecks for countless energy producers, miners, loggers, ranchers.

The second set of concerns you may hear is based on broader discontent within the Department of the Interior itself. Despite tremendous resources on Federal lands nearly all gains in energy production have occurred on State and private lands. Notices to lessees have replaced real off shore regulation. Federal fracking proposals threaten to reverse the good work that States are doing. We rank dead last in the world in permitting mining projects.

Again to turn to my home State of Alaska for every issue where we feel like we're making some progress, for example on wood bison, sea otters, there are other areas where the Department apparently fails to hear us. The pressing need to clean up legacy wells within NPRA, land conveyances that were due decades ago, these are some of the examples that come to my mind.

But Ms. Jewell, I'm looking forward to hearing more about your vision for the Department of the Interior.

Mr. Chairman, I will conclude by noting that I look forward to working with you to consider many of the additional nominations at both Interior and the Department of Energy that we will have in the months ahead. Thank you.

I look forward to your testimony, Ms. Jewell.

The CHAIRMAN. Thank you, Senator Murkowski. I too, look forward to working with you on those matters.

Ms. Jewell, now we have customarily the oath. We have a number of business matters to take care of. But I note that it's a wonderful sight to see 3 talented residents from the Pacific Northwest, that you have your United States Senators with you.

Senator Murray, I know, has the really easy task of putting together a budget. She is trying to juggle all of that today. So I think what we'll do at this point, I'd like to have Senator Murray and Senator Cantwell introduce Ms. Jewell to the committee. When they've completed their introduction, we'll go forward with administering the oath and some brief questions and then having your testimony.

Senator Murray, welcome.

#### **STATEMENT OF HON. PATTY MURRAY, U.S. SENATOR FROM WASHINGTON**

Senator MURRAY. Thank you very much, Mr. Chairman and Ranking Member Murkowski, all of the members of this committee. I am so pleased to be here today with my colleague Senator Cantwell to introduce Sally Jewell to this very important hearing. I know all of us will miss our former colleague, Ken Salazar, when he leaves the Administration, but I could not be happier that the President has chosen Sally Jewell to replace him as Interior Secretary.

Mr. Chairman, I have known Sally for many, many years. Her unique background and her executive experience make her the right person, at the right time, to be Secretary of the Interior. I might add, it doesn't hurt that she is from, what we like to refer to as, the better Washington. So it's great to be here.



Sally will come to the Department of the Interior at a difficult time where there are immense challenges, but also some tremendous opportunities. As a Nation we're working very hard to protect our environment and invest in new technologies to meet our energy demands. On the local level, including in our home State of Washington, Sally will face complex issues like protecting tribal lands and treaty rights, but I can think of no one who is better prepared for this task than Sally.

After she studied to become an engineer at the University of Washington, Sally left our Northwest for the oil fields of Oklahoma and Colorado where she learned about the energy sector from the inside out.

From there she moved from the outdoors to the board room and spent nearly two decades in the finance helping businesses grow and learning what it takes to succeed in the marketplace.

Time and again Sally has broken the mold to take on tough tasks often in male dominated industries. When she joined Recreational Equipment Incorporated, the Seattle based outdoor retailer was struggling. But after 8 years with Sally as CEO, REI is now thriving, topping \$1 billion in sales while leading the charge to protect our environment and finding that balance, navigating the business world while keeping REI's commitment to the outdoors is what will make Sally great as our next Interior Secretary.

Perhaps better than anyone Sally knows that business and the environment both benefit when we're committed to protecting our national parks and promoting our national treasures. At REI, Sally has proven that the sustainability and responsibility makes sense for the environment and the company's bottom line.

In Washington State she's worked closely with me to help create the Wild Sky Wilderness Area and expand other important environmental protections throughout our State. She has worked with industry and environmentalists to expand recreation opportunities throughout the Northwest and helped us work toward permanently protecting BLM lands in the San Juan Islands which is a true gem in the State of Washington.

She's backed crucial public/private partnerships that create jobs through recreation. She supported ground breaking programs to get young people involved in the out of doors.

So whether it's forest lands in the Northwest or mineral deposits in the Southwest or oil reserves along our coastlines, I'm confident that Sally will lead our Interior Department where economic growth and a thriving environment go hand in hand.

So thank you very much, Mr. Chairman for allowing me to speak on behalf of Sally today. I can tell all of you that she is a gem from the Northwest. I know that she's going to do an outstanding job as Interior Secretary. So I'm delighted to be here today.

Thank you.

The CHAIRMAN. Thank you, Senator Murray.

We're very pleased that Senator Cantwell is here also. As colleagues know she's particularly knowledgeable about economics and shares that particular interest with Ms. Jewell.

Senator Cantwell, we welcome your statement.

**STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR  
FROM WASHINGTON**

Senator CANTWELL. Thank you, Mr. Chairman.

It's a pleasure to be here with my colleague, Senator Murray, before this committee. So I want to thank you and Ranking Member Murkowski for holding this important hearing. It's great to be here to help introduce a long time friend, Sally Jewell.

First, I want to publicly thank her for her willingness to serve in this challenging position. I also see that her husband, Warren, is here today. So I thank him as well because it goes without saying that these are challenging on not only the person who does the job but family members as well. So I certainly appreciate her family's support.

I also know how hard it is to leave the beautiful Northwest and come here to this Washington. But it's the kind of leadership that Sally represents that we need most in Washington.

Senator Murray said it, balance. It's a very good word to describe Sally Jewell. Not only is she the CEO of a rapidly growing company. She also serves on the University of Washington Board of Regents and the board of a non-partisan National Parks Conservation Association.

She has been a leader in business from oil fields of Oklahoma, to commercial banking, to running REI for the last 8 years. She has been a success at whatever she tackles. Under Sally's leadership REI has grown from 2006 to 2011 and opened 77 new stores and boosted sales 62 percent in very tough economic times. I'd like that kind of leadership at the Department of the Interior.

We all know that the Interior Department faces many challenges from ranging how to figure out the best use of our public lands, to the various legal challenges that the Department faces, to modernizing our bureaucracy, to thinking about climate and deep water drilling. So there is a myriad of things that I think need to have someone who can forge real solutions. I think Sally Jewell is that person.

Having grown up in the State of Washington, where over 40 percent of our land is public land, I guarantee you that she understands these Western issues. Whether it's water rights, salmon recovery, understanding the impact on water levels, fire season, wildlife on BLM lands or the importance of public access to hiking and hunting and fishing. I guarantee you that Sally Jewell has read about these, has been involved in organizations addressing these issues and has tried to provide a leadership role.

I would also note to Ranking Member Murkowski, because I know how important all these issues are, particularly to the State of Alaska, that I think this nominee has probably had more experience dealing with Alaska in a variety of ways than anybody we've seen since Alaska Governor Hickel served in this position 40 years ago. So I am confident, that combining knowledge with her training as an engineer, Sally will bring a very pragmatic, can do, world view to the Interior's management and problem solving challenges.

Science will be her compass, not an ideological bent. Given the importance of the Interior Department's agencies and very challenging missions, I'm especially excited to have someone

with her business background, but her science and engineering background at the Department of the Interior.

So as a long time member of this committee, I very much appreciate the challenges that every member of this committee faces when it comes to the Interior Department. I too, as Senator Murray outlined, have some of those issues we'd like to ask about too. But I hope you will agree that Sally Jewell is the right person for this job. Oftentimes I've run into Sally at 10,000 feet or followed her blog as she climbed Mount Vincent, the highest mountain in Antarctica. I guarantee you, this woman knows how to climb mountains.

Thank you, Mr. Chairman. I hope people will support her nomination out of this committee and fast approval as Secretary of Interior.

The CHAIRMAN. Senator Cantwell, thank you for a very helpful statement. I am pleased that we can have you back on this side of the dais here in a little bit.

Senator Murray, I know you've got your hands full, too, today. You can be excused, and I appreciate your coming.

Ms. Jewell, at this point, I think you're aware that the rules of the committee apply to all nominees. They require that they be sworn in connection with their testimony. So if you would, please stand and raise your right hand.

Do you solemnly swear that the testimony you're about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth and nothing but the truth?

Ms. JEWELL. I do.

The CHAIRMAN. Ms. Jewell, thank you. Before you begin your statement I will ask 3 questions addressed to each nominee before this committee.

The first is, will you be available to appear before this committee and other congressional committees to represent Departmental positions and respond to issues of concern to the Congress?

Ms. JEWELL. I will.

The CHAIRMAN. Are you aware of any personal holdings, investments or interests that could constitute a conflict of interest or create the appearance of such a conflict should you be confirmed and assume the office to which you've been nominated by the President?

Ms. JEWELL. Mr. Chairman, my investments, personal holdings and other interests have been reviewed both by myself and the appropriate ethics counselors within the Federal Government. I've taken appropriate action to avoid any conflicts of interest. There are no conflicts of interest or appearances thereof to my knowledge.

The CHAIRMAN. Are you involved or do you have any assets that are held in a blind trust?

Ms. JEWELL. I do not.

The CHAIRMAN. OK. We would also like to invite you to introduce any family members that are here with you today.

Ms. JEWELL. Thank you, Senator. I'd like to introduce my husband, Warren, of almost 35 years. Just wave.

[Laughter.]

Ms. JEWELL. In June it will be 35 years. My children, Peter and Anne are hard at work. My extended family I know is watching

with great interest. I appreciate all of them for their love and support on this journey.

The CHAIRMAN. Very good. I know they're very proud of you today. We're glad you're here.

We'll recognize you now to make your opening statement. Then as you know, colleagues have questions here on the committee. So, please proceed.

**TESTIMONY OF SALLY JEWELL, NOMINEE TO BE SECRETARY  
OF THE DEPARTMENT OF THE INTERIOR**

Ms. JEWELL. Thank you, Mr. Chairman and the distinguished members of this committee.

You know, being a CEO of REI is a pretty darn, great job. I want to add my thanks to my 11,000 colleagues at REI for the hard work that they've done to bring the outdoors into people's everyday lives whether close to home or far away. But there is no role that compares to serving my country. So I'm honored and very thankful to President Obama for nominating me for this position to be Secretary of the Interior. It is with deep humility that I acknowledge the scale and the duties entrusted to this office.

Growing up around Seattle my earliest memories were of exploring the forests and the National Parks of our region, Mount Rainier, Olympic National Park, Crater Lake. I was hooked on the outdoors. I have been ever since.

My children will tell you that we spent a lot of time outside together. My friends will tell you that any opportunity I have I invite them with me into the outdoors. Senators, I hope that we too, can enjoy some time in the outdoors, perhaps in your States over the course of our time working together, if I'm confirmed for this position.

The crown jewels of our Nation are our parks, forests, deserts, rivers and seashores. They are the places that tell the stories of our diverse history, our struggle, our triumph and our tragedy. It's through the wisdom of many Congresses and Presidents that we've protected and celebrated these assets, recognizing their deep and enduring value.

Public lands are also huge economic engines. Through energy development, through grazing, logging, tourism and outdoor recreation, our lands and waters power our economy and create jobs. Balance is absolutely critical. Our public lands and our waters have to be managed wisely. If confirmed for this position I will use the best science available to harness their economic potential preserving their multiple uses for current and future generations.

Let me give you a quick summary of my background.

As was noted in the introductions, I began my career early on in the oil and gas industry. Actually before I graduated from college, it turns out Senator Murkowski and I have something in common, which is we worked on elements of the Alaska pipeline in the mid-1970s. I graduated with a degree in mechanical engineering and went to work for Mobil oil as a petroleum engineer, working first in some of the oldest oil fields in our country, squeezing the last barrel of production out of some of those older wells. Then moved to Denver where I was in a position to see the economics of oil and gas from "do you do the wild cat well in Alaska", "do you

do the steam flood in Bakersfield and how do you prioritize your resources?”

Technology has certainly advanced since that time along with a better understanding of the environmental impacts of what we do. But the tug of the Northwest was strong for me. So I chose to move back to Seattle. Warren and I wanted to have a family, and be close to family.

So I took the first job opportunity I got which was to become a natural resources expert for a local bank. It was a time when oil and gas was booming and many other industries were not. So for 19 years I applied my skills, learned as an engineer, to natural resource banking and working with Indian tribes.

I was lead banker for NANA which is a native corporation based in Kotzebue, Alaska, north of Nome in the Arctic Circle. I worked with farmers and ranchers, manufacturers, real estate developers, mining companies and certainly those involved in every element of natural resources. One thing that I learned in my journey through 19 years of banking is that I have a deep appreciation for the creativity, the entrepreneurship and the commitment of our Nation's business people not only to economic development but also to the support and development of their communities and the care of their environment.

The Department of the Interior has many challenges, as have been expressed in the introductions, but also many opportunities to address them in the decisions that we make, which have the potential to shape our country for years to come. On energy I have a commitment to the President's All of the Above energy strategy of increasing our Nation's production of both traditional and renewable sources of energy on our public lands, implementing innovative technologies and new frontiers, both onshore and off shore, to encourage both safe and responsible development of our resources.

I also understand as a business person that it's important to bring certainty and clarity to industry. Industry doesn't mind the rules. They just want to know what the rules are. They want predictability as they make investments that will power our future.

On conservation, preserving our lands, waters and wildlife define us as a people and help make this place, America the Beautiful. There is a generation of children growing up with a disconnect from nature. The Kaiser Family Foundation did a study saying on average children spent 53 hours a week in front of a screen of some sort and in other studies only 30 minutes a week in unstructured outside play.

I know that the Department of the Interior has an important role to play, along with neighborhood parks the vast lands of the BLM, perhaps leaning into the centennial of our National Park Service, which will occur in 2016, to ensure that our open spaces, trails and parks are both accessible and relevant to all people from all backgrounds.

The President has made it clear that climate change is an important issue for our Nation. We've experienced storms, wildfires, droughts and floods. If confirmed for this position I look forward to tapping the vast scientific resources of the Department of the Interior, like the U.S. Geological Survey, the Fish and Wildlife Service, the Bureau of Reclamation, and other agencies of the Federal Gov-

ernment to understand and prepare for the impacts of climate change.

If confirmed as Secretary of the Interior I pledge to abide and uphold the principles of transparency and integrity that have defined me throughout my business career, to uphold our sacred trust responsibilities to American Indians and Alaska Natives continuing the Nation to Nation relationship that has been so important for us to maintain with Indian country.

I will support the unique needs of our insular areas whether they are in the Pacific or the Caribbean and commit to making wise decisions about the use and conservation of the resources with which we have been so blessed in this country of ours.

I will look forward to working with this committee, with Congress and with stakeholders to bring my business background to bear in implementing the common sense solutions to these complex challenges.

So Mr. Chairman and distinguished members of this committee, I humbly submit to you that I am ready to take up this challenge. I look forward to taking your questions.

Thank you.

[The prepared statement of Ms. Jewell follows:]

PREPARED STATEMENT OF SALLY JEWELL, NOMINEE TO BE SECRETARY OF THE  
DEPARTMENT OF THE INTERIOR

Thank you, Mr. Chairman and distinguished members of the Committee.

Before we begin, I would like to thank my family, especially Warren, my husband of nearly 35 years, my two children, Peter and Anne, and my extended family for their love and support on this career journey.

As CEO of REI, I believe I have one of the greatest jobs in the land. It has been a true privilege to work alongside 11,000 colleagues at REI who share a commitment to inspiring, educating and outfitting people from all walks of life, urban and rural, to enjoy a lifetime of outdoor adventure and stewardship.

But there's no role that compares to serving my country. So it is with great honor that I appear before you as President Obama's nominee to be Secretary of the Interior.

And it is with deep humility that I acknowledge the scale of the duties entrusted to the office, from upholding our sacred trust responsibilities to American Indians and Alaska Natives, to supporting the unique needs of our Insular Areas, to making wise decisions about the use and conservation of the resources with which we have been blessed.

My earliest connection to America's public lands was through our National Parks. Growing up around Seattle, my parents would take our family camping and hiking to explore the Pacific Northwest—from Mt. Rainier to Olympic National Park to Crater Lake. I was hooked, and I've been enjoying the bounty of the outdoors ever since, sharing it with my children and anyone willing to join me on an adventure.

Our nation's parks, forests, deserts, rivers and seashores, coupled with the places that tell the stories of our diverse history, struggle, triumph and tragedy, are the crown jewels of our nation. It is through the wisdom of many congresses and presidents that we protect and celebrate these assets, recognizing their deep and enduring value.

I also appreciate that our public lands and Indian lands are huge economic engines for the nation. From energy development, to grazing, to logging, tourism and outdoor recreation, our lands and waters power our economy and create jobs.

Last year, the Department of the Interior disbursed over \$12 billion in revenue generated from energy production on public lands and offshore areas. Visitors to our National Parks generated an estimated \$30 billion in economic activity and supported over 250,000 jobs in 2011. And I know through my work at REI that Americans love the great outdoors. From hunting and hiking to angling, ORVing and bird watching, they spend \$646 billion on outdoor recreation annually, supporting 6.1 million direct jobs.

These are impressive numbers. They underscore the important balance that the Department of the Interior must maintain to ensure that our public lands and waters are managed wisely, using the best science available, to harness their economic potential while preserving their multiple-uses for future generations.

I am a mechanical engineer by degree and a petroleum engineer by training. I spent several years early in my career with Mobil Oil. Working in a field office in Oklahoma, I learned the industry from its source, working alongside my teammates, drilling and fracking new wells, and squeezing the last barrel of production out of some of our nation's oldest oil fields. In the exploration and production office in Denver, I was exposed to the diversity of our nation's oil and gas resources, from the challenges of the Arctic to the heavy oil in California. Since that time, new technologies and practices—both for conventional and renewable energy development—have enabled industry to harness resources more efficiently and better manage the associated environmental impacts.

With a desire to raise a family close to family, Warren and I moved back to Seattle where I joined a bank, first as an energy and natural resources expert, and later working with the diverse array of businesses that drive our nation's economy. Over my 19 years as a commercial banker, I had the privilege of working with Alaska Native Corporations and Indian tribes, oil companies and miners, real estate developers, farmers, ranchers, timber companies, fish processors, utilities manufacturers and many more. The broad exposure I had to many diverse businesses across the West gave me a deep appreciation for the creativity, entrepreneurship, and commitment of our nation's business people, not only to economic development, but also to their communities and our environment.

In 2000, I joined REI as Chief Operating Officer, becoming CEO in 2005. During my tenure at the company our hardworking employees nearly tripled the business to \$2 billion. In recent years, through energy conservation and the use of renewable sources of electricity, we have grown our business while actually reducing our carbon footprint.

But I am most proud of our commitment to giving back—organizing volunteer projects and supporting hundreds of community organizations that connect people, urban and rural, to the outdoors. My colleagues and I take great pride in REI's consistent ranking by FORTUNE Magazine as one of the 100 best places to work for in America.

Now, as I sit before you today, we face several challenges—and opportunities—that will shape our country for years to come.

On energy: I believe that with the help of rapidly advancing technologies, smart policies, and a commitment to an all-of-the-above strategy, we can continue to expand and diversify our energy production, cut our reliance on foreign oil, and protect our land and water.

Innovative technologies and new frontiers both onshore and offshore are increasing our nation's domestic oil and gas production, and we owe it to the American people to make sure that development takes place in a safe and responsible way. We also need to provide industry with certainty and clarity when it comes to development, so that they can make smart investments to help power our economy.

I know that the President has set a goal to double renewable electricity generation again by the year 2020. Interior has a critical role to play in fulfilling the President's vision through encouraging renewable energy on our nation's public lands. As part of the President's energy team, I will work to make sure that we're doing that in the right way and in the right places.

When it comes to conservation, we are making important progress on preserving our lands, waters and wildlife that define us as a people and make it America the beautiful.

But we also have a generation of children growing up without any connection to nature. According to the Kaiser Family Foundation, today's American children spend an average of 53 hours a week in front of a screen. Other sources estimate that children spend less than 30 minutes a week in unstructured outside play. If confirmed, I will redouble efforts to ensure that our open spaces, trails and parks are accessible and relevant to all people from all backgrounds. With the Centennial of the National Park System approaching in 2016, we have an opportunity to use the visibility of this milestone to celebrate all open spaces. From neighborhood parks to the vast lands of the BLM, the Department of the Interior is well positioned to build a deep and enduring connection to a new generation of Americans and visitors.

If confirmed, one of my top priorities will be to build upon the historic strides made by this Administration in upholding our sacred trust responsibilities to the Native American and Alaska Native communities. President Obama has helped to restore a nation-to-nation relationship with Indian Country—one rooted in consultation with tribal communities—and I pledge to continue this forward progress.

The President has made clear that climate change is an important issue for our nation, especially as we face more frequent and intense droughts, wildfires and floods. I commit to tapping into the vast scientific and land management resources at Interior—from USGS to the Fish and Wildlife Service to the Bureau of Reclamation and beyond—to better understand and prepare for the challenges that our cities, coastlines, river basins and—ultimately—our economies face.

Good government means ensuring that the Department is built to face the challenges of the 21st century—not just for this President, but for the next and the next. It means finding efficiencies and thinking sustainably. It means hiring a diverse and dedicated workforce. And it means, above all, being accountable to the American public.

At REI, I ran a business rooted in transparency and integrity. If confirmed as Secretary of the Interior, I pledge to abide by those same principles and to work with this Committee, Congress and stakeholders to implement commonsense solutions to these complex challenges.

I humbly submit that I'm ready to take up the challenge.

Thank you, Mr. Chairman, and thank you, distinguished members of the Committee. I look forward to taking your questions.

The CHAIRMAN. Thank you very much, Ms. Jewell. As you can see we have so many Senators here we're going to have 5-minute rounds. I'll just start with a couple of questions given how many Senators are attending today.

Ms. Jewell, I think you're aware that the first hearing that we had here in the committee was on natural gas. I chose that for a reason having talked with Senator Murkowski and colleagues, both Democrats and Republicans, because it seems to me that if policy-makers get natural gas right, America can have it all. We can have more good paying jobs. We can have a cleaner environment with a broader birth for renewable energy, more innovation and a new national network of transportation alternatives.

So I'd just like to get your thoughts about how you can help us advance that kind of creative policy. For example, one idea that I think would have some potential would be for you all, given the fact that you have natural gas development on Federal lands, to look at the prospect in the days ahead of using those lands to advance best practices in terms of looking at fracking and environmental issues. Would that be the kind of approach you would be open to in terms of trying to make sure that as we look to getting natural gas policy right, we could also have you all playing a key role in fresh, creative kinds of policies that help to advance that balance?

Ms. JEWELL. Senator, we are blessed as a country with a lot of natural resources. Natural gas is one of the most significant. I appreciate its properties. It is cleaner than some sources of fuel. Its development depends on its economic viability, and we all now operate in a world market.

In terms of innovative technologies, it's been a while since I fracked a well. It was, I think, 1979. But the principles are still the same. I believe that there are ways we can lean into the resources from the Bureau of Reclamation and the Bureau of Land Management, in particular, and the U.S. Geological Survey to come up with safe and responsible ways to develop these vast resources and do it in a way that helps support jobs as well as our energy independence.

The CHAIRMAN. I think you'll find as you get into it, there will be a great many people in both industry and the environmental communities that will want to work with you on issues, like the



ones you touch on, and best practices. So we'll look forward to following that up with you.

Let me ask you about the question of revenue sharing which is something that my colleagues, particularly from Louisiana and Alaska, have talked about. But this has become a great national concern because all over America, as we talked about, there are areas where there are Federal lands and Federal waters. Basically in all these communities not much changes except for the accents when you sit around and visit with them. They're all trying to find a way to get good paying jobs in these areas, protect their environmental treasures and most importantly, not end up becoming ghost towns. That's really what the great fear is.

So we are going to have to try to find some common ground with respect to this issue. My question to you on this point is would you be willing to work with us to identify a revenue source for appropriately scaled legislation that would help us assist those States and communities with Federal land and Federal water. We're also facing challenges with the Land and Water Conservation Fund.

The question is would you work with us to try to find a revenue source in order to help us put together a bipartisan proposal with respect to revenue sharing that could bring together, all across the country, communities where there's Federal land and Federal water?

Ms. JEWELL. Senator, I'd be delighted to work with members of this committee on that important proposal. As I met with a number of the Senators that are present here, I appreciate the different perspectives on revenue sharing. I appreciate the importance of a strong economy in our communities that feel both the impacts as well as the economics of oil and gas development and other mineral developments. I think revenue sharing is clearly a very important topic that deserves some attention from the Department of the Interior as well as this body.

So I look forward to working with you on this.

The CHAIRMAN. Very good.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Ms. Jewell, thank you for your testimony and again the conversations that many of us had in this past week.

There has been a lot of focus in the news as your nomination has come forward. The focus had been on your interests as they relate to the conservation side, your involvement with organizations, obviously your leadership at REI. So there's been a great deal of coverage about that part of your life.

The question that I would have for you today is what comfort or assurance can you give me for the people in the State of Alaska that are focused on the resource side of the agenda when it comes to the Department of the Interior's responsibilities, those that are concerned with the Federal estate for resource development. As you give me that assurance or that comfort that I can take back to Alaskans, can you tell the committee anything that might surprise or even concern some of your friends within the conservation community?

Ms. JEWELL. Senator, there is no question that we need balance on the use of our public lands. Many people as they enjoy the out-

doors jump in a car to get there. It requires fuel. Many of the products that our industry produces are produced in some way or another with materials that derive from fossil fuels.

So it's very important, I think, that we take a balanced approach to both energy development and resource development with conservation and recreation. I don't think it's an "either/or" proposition. I really think it's "both/and". By knowing the places that we all collectively believe need to be set aside and protected and recognizing the importance to our economy and our communities of appropriate safe and responsible development of those resources.

I think if you look at my background from working on the Alaska pipeline to working with organizations in Alaska on mining and on elements of oil and gas that I've had that kind of balanced perspective in my career. I would look forward to bringing that to this role.

Senator MURKOWSKI. So would it be safe to say that you agree that part of the Department's mission on Federal lands is to increase oil production?

Ms. JEWELL. Yes, Senator. We're blessed with many resources on Federal lands and certainly leaning into domestic oil and gas production is an important part of the mission of, particularly, the Bureau of Land Management but also the Department of the Interior.

Senator MURKOWSKI. I would hope that you would be willing to work with us in encouraging just that aspect as we develop not only our oil and gas resources, our mineral resources. We know that we are blessed with amazing reserves and resources on our Federal lands. Unfortunately we haven't seen the level of activity and action that we would like on that.

I want to show you and I hope that you can see. This is a picture of a Simpson well up in the National Petroleum Reserve, Alaska. These are BLM lands up there.

This is a bit of an eyesore if you can see it from here. These are oil seeps around. The little stub in the middle is an old well that was drilled back in the early 1980s. Discarded oil containers. There's old treads from vehicles that move through there.

Ms. Jewell, I think you know the story here. That was not left by some wild cat or that was left by the Federal Government. The Federal Government came in, drilled these wells over 100 different wells over the course of the past decades.

The problem that we've been dealing with within BLM is these wells have been left, not properly abandoned. They're an eyesore clearly to the land. They're a threat to the animals that are there. The Nupiak that are up there are wondering when do these lands get cleaned up.

I have been fighting for years now to get BLM to address this, to even give me a schedule of a cleanup. Last year they cleaned one well. They are thinking that they might get around to three. That supposedly they're going to be giving me a schedule as to how they're going to address them.

The question to you this morning is will you commit to not only working with the State of Alaska on this cleanup, but ensuring that the resources are there? Because what we're seeing here is a real double standard. A producer is going to be held to a level where if you don't clean that up you are fined immediately, shut down, sent out of there.

On the Federal Government when they come in and do something like this, apparently they can take unlimited time. Just say we don't have the money for it. So I'm asking for your commitment that you will work with me, work with the State of Alaska in addressing this shameful eyesore that's been left by the Federal Government.

Ms. JEWELL. Senator, thanks for bringing that to my attention. I'm aware that the Navy and the Bureau of Land Management over many decades were doing some exploration to assess the potential of the Natural Petroleum Reserve in Alaska. It's clear that there are opportunities that we need to address. I absolutely commit to working with you on this and working with this committee and the appropriators to ensure that there are sufficient funds appropriated to be able to do the job right.

Senator MURKOWSKI. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Manchin.

Senator MANCHIN. Thank you, Mr. Chairman.

Thank you, Ms. Jewell, for being here.

If you could, I know you just said you support the all above energy policy.

Ms. JEWELL. Yes.

Senator MANCHIN. Could you give me your explanation of the all of above and the mix that you see today and how you intend to support that?

Ms. JEWELL. Yes, Senator. We are blessed as a country with vast reserves of a number of different resources, coal, in your home State of West Virginia, certainly very, very important. I appreciate that it has been a huge resource in the support of electricity and continues to be such in our country. I certainly include that in the all of the above energy strategy.

I think leveraging technologies, carbon sequestration and other methods over time that continue to make it a resource with perhaps less impact than over years past is also important.

Natural gas, as Chairman Wyden mentioned, I think is another very important resource.

We also are blessed with many opportunities for renewables from solar energy in parts of our desert Southwest to wind energy in a variety of different areas. It's my understanding that the U.S. Geological Survey is doing a good job of understanding what those resources are around the country so that we can, in fact, pursue those that have the greatest potential in those areas that are blessed with those resources.

Senator MANCHIN. Is it fair to say you understand it has to be a balance? We have to use what we have. I would assume since you're an all in energy policy supporter that that means that everything that we can do to be independent of foreign oil and more dependent and reliable on our own resources.

Ms. JEWELL. Yes, sir. I think it's very clear that some of the conflict around the world, around resources, is something that perhaps we'd rather not have.

Senator MANCHIN. You do affirm that coal does play a large portion? It's the largest portion of our energy mix today. Correct?

Ms. JEWELL. Yes, sir. I'm aware of that.

Senator MANCHIN. There has to be a balance and not a disproportionate of where the research dollars go.

Ms. JEWELL. I understand.

Senator MANCHIN. OK.

Next of all, the OSM stream buffer zone, I don't know if you're familiar with that. Anyway there's been some conflict. We've been waiting for a ruling to come from the Department of the Interior. I would like your definition of a stream, just your definition of what you consider a stream to be.

Ms. JEWELL. Gosh, I'm sure there is a technical definition. I would say free flowing water.

Senator MANCHIN. Is it basically a flowing water stream 12 months a year, mostly a wet water stream that flows 12 months a year?

Ms. JEWELL. That would seem the kind of definition that people would have of a stream.

Senator MANCHIN. We'll probably have to have more discussion.

Ms. JEWELL. Obviously, I've got—

Senator MANCHIN. Because that's our biggest problem we have right now. The topography in West Virginia and many mountain States, a drainage ditch is not what we would consider a stream as OSM has been or Department of the Interior, OSM, has been trying to define. That's the problem we have. It almost shuts down all of our operations.

So I would hope you would be considerate to that so I could at least sit and talk to you about it.

Ms. JEWELL. Senator, I clearly have things to learn about the definitions in these rules. I look forward to digging in and working with you on them.

Senator MANCHIN. Thank you.

Also the BLM/OSM, the consolidation of the Bureau of Land Mines and also the Office of Surface Mining. You know we've gone through that last year and there's been a ruling. Now I think they are not consolidating into one. But basically they are using services, sharing services for efficiencies.

Do you have any intentions of changing that or basically keeping their missions separate?

Ms. JEWELL. Senator, I think it's very clear that the issues of the West are different than the issues of the East. Both are important to the Department of the Interior. I also think it's important in a time of tight budgets that we think about efficiencies.

So if confirmed for the position I look forward to working with you to understand the specific issues around OSM and BLM and where there might be synergies that help save money for the Federal Government, but also enable them to fully carry out their missions.

Senator MANCHIN. I understand you also formally supported the cap and trade carbon tax. I could be wrong. But I read into that that there was support that you had of carbon tax. The cap and trade that was proposed 3 or 4 years ago, it allowed wind and solar to participate in a carbon tax which was basically a financial distribution or scheme, if you will, which never produced any carbon.

I didn't know what your thoughts on that would be.

Ms. JEWELL. Senator, it's important for us, as a country, to balance, as we've talked about. We are in difficult economic times. I know that the President and his Administration have no proposals on the table around this issue.

At the Department of the Interior it won't be my role necessarily to be discussing this. It's more around the resources. So that's where I stand.

Senator MANCHIN. I think the other thing that we have too, and I think it was brought up by the Senator from Alaska, that when you look at how we have been, the amount of production we have off of Federal lands that you would be responsible for has declined when private land production has increased. So it looks like the Department of the Interior was going a different direction when the economy and the market was driving it in the private sector, a complete different direction.

Hopefully you would be able to balance. I think that's what has been asked. If you can find that balance to where we'll be doing our share on the public lands as well as the private lands.

Ms. JEWELL. Senator, I know that production from public lands is very important. I also know that there are complexities in terms of how technologies have brought recovery on private lands to the forefront most recently. There's certainly the ability to apply those technologies on public lands to also support—

Senator MANCHIN. But you know they've also been declining, right?

Ms. JEWELL. Excuse me?

Senator MANCHIN. They have declined. As private lands have increased, public lands have declined activity.

Ms. JEWELL. As a petroleum engineer from early in my career generally the first time you drill and finish a well is the highest production and it does decline over time. So there are things you can do to enhance production. I know those are being done on private lands.

I'm not familiar with the details on public lands. But I think that in this all of the above energy strategy, it's going to be important to bring those kinds of tools and techniques to bear on our public lands.

Senator MANCHIN. Thank you. My time is up. Thank you very much.

Ms. JEWELL. Thank you.

The CHAIRMAN. Alright.

Senator BARRASSO.

Senator BARRASSO. Thank you very much, Mr. Chairman.

Congratulations on your nomination. Thank you for taking the time to visit with me.

I have a couple of questions about the work you've done on behalf of National Parks Conservation Association, known as the NPCA.

You've been a member of the board since 2004. You currently serve as Vice Chair of the board. You've testified twice before Congress on behalf of the organization. The paperwork that you submitted to this committee explains that you have lobbied the Federal Government on behalf of the organization.

The NPCA advocates on behalf of the National Park Service. It also sues the Federal Government in support of policies that put

people in Wyoming and across America out of work. It has sued the Federal Government to shut down coal fired power plants to end coal production, to block oil and gas production and has fought uranium production.

Now since you have been a member of the board your organization has sued the Federal Government a minimum of 59 times. Worst of all, NPCA uses taxpayer dollars to fund the lawsuits, taxpayer dollars that are putting Americans out of work. It's unsettling to many that you have a fundamental conflict of interest that when it comes to leading the Department of the Interior because many of these 59 lawsuits that your organization has filed against the government are still pending.

For this reason I would ask that if confirmed you recuse yourself from implementing any of the legal settlements which NPCA has been a party to at any time since 2004.

Recuse yourself from participating in any ongoing settlement negotiations which NPCA is a party to.

Recuse yourself from participating in any future settlement negotiations which NPCA is a party to.

Will you do that?

Ms. JEWELL. Senator, first I am one of roughly 30 board members on the NPCA board. I have nothing to do with their litigation strategy. I play no role in anything that they may do around litigation. There's only one board member that's actually engaged in that and that is a litigation liaison.

Senator BARRASSO. You're Vice Chair of the board. You've had an active role in the organization.

So is your answer no, you will not recuse yourself or yes, you will recuse yourself?

Ms. JEWELL. Senator, to the extent that there are issues that come before the Department of the Interior that have had an engagement with NPCA through a lawsuit the first step I would take would be to confer with the appropriate ethics officials within the Department to determine what an appropriate scope of my involvement would be.

Senator BARRASSO. I would also ask, if confirmed, would you promptly disclose to the public all payments made using taxpayer dollars to individuals and entities that sue the Interior Department? This goes beyond the organization of which you've been Vice Chair. There are a numbers of suits that have filed. Taxpayers have not had a good accounting of that.

So I'm asking if you would disclose to the public payments made using taxpayer dollars. Will you agree to do that?

Ms. JEWELL. Senator, I'm not aware of what the appropriate disclosure requirements are or aren't nor what payments you're referring to whether it's a repayment of legal fees. So I would have to work with the Department to look into the request.

Senator BARRASSO. It seems to me there hasn't been the transparency that's been promised by the Administration when it comes to these settlements.

NPCA, the organization you've been Vice Chair, has weighed in on a number of pending rulings at the Department. We talked earlier about or you spoke earlier about fracking. This organization,

your organization has weighed in on the BLM's hydraulic fracturing rule.

Many of us are concerned that the BLM's rule will push oil and gas production off Federal, public lands, off Indian lands, costing public land States, like mine and others here on the committee and costing our Indian tribes thousands of jobs, millions of dollars of revenue. It is unsettling to many that NPCA has called on the BLM to dramatically expand the scope of that rule costing even more jobs. Your organization has gone so far as to call on the BLM to make it even harder to explore for American energy.

NPCA has also weighed in on the Office of Surface Mining's Stream Protection Rule, a rule which would shut down coal production in much of the country. You discussed that with Senator Manchin.

So given your leadership at NPCA many believe you have a fundamental conflict when it comes to overseeing any pending rulemaking in which your organization has participated. So again, if confirmed will you recuse yourself from all pending rulemakings in which NPCA, the organization that you're Vice Chair of, has participated?

Ms. JEWELL. Senator, I'm not aware of either of the two issues that you reference with regard to NPCA. As I said before, should a matter come before me that involves the organization I would approach the appropriate ethics counselors within the Department to determine what role I should take.

Senator BARRASSO. In my final seconds I'll just ask, Senator Manchin asked and I really didn't hear a yes or no answer to his question of do you support a carbon tax? Yes or no?

Ms. JEWELL. Mr. Chairman, I'm out of time. Would you like me to?

The CHAIRMAN. Please do.

Ms. JEWELL. Senator, as I said in Senator Manchin's question, a carbon tax is not something that would come before me in a role as Secretary of the Interior. The President has made it clear that he is not pursuing that approach to carbon at this point, a carbon tax. If confirmed in the position I will look forward to bringing my experience to bear, as I've said, on multiple uses of public lands in an all of the above energy strategy. I would not be in a position to take a position, frankly around this issue.

Senator BARRASSO. Thank you, Mr. Chairman.

The CHAIRMAN. Colleagues, just on this point with respect to recusal matters and compliance with the ethics rules. I believe Ms. Jewell has already indicated that she would comply with our committee's recusal rules and the ethics rules of the Federal Government. It's at page 10 of her questionnaire for colleagues that would like to review that.

So, Senator Heinrich, you're next.

Senator HEINRICH. Thank you, Chairman.

Welcome, Ms. Jewell. It is so nice to have another engineer in this building. It is a rare event, I'm afraid to say. Thank you for your awareness that conservation and economic development often go together, are not just things to be balanced, but often are things that can enhance each other.

One of the most important tools that the Executive branch has for both of these goals is the Antiquities Act. It's often been used to protect natural, historical and cultural resources on our Nation's public lands. In New Mexico we have seen the Antiquities Act used to preserve some of the greatest draws to our State, some of the most iconic places like Chaco Canyon and Carlsbad Caverns, both of which have been, subsequently turned into national parks.

My constituents have proposed two new national monuments in New Mexico, Rio Grande del Norte near Taos and Oregon Mountain's desert peaks outside of Las Cruces. Both of these proposals have been community based. They received overwhelming support not only from local residences but local businesses, chambers of commerce, local elected officials.

I want to ask you just your thoughts as a potential Secretary on how you will or whether you will support the responsible use of the Antiquities Act to work with local communities to protect some of America's crown jewels.

Ms. JEWELL. Thank you very much, Senator.

The Antiquities Act has been used by 16 Presidents recognizing the importance of such areas as the Grand Canyon and the Statue of Liberty. They've been Presidents from both the Republican and Democratic side. I think it has been a very, very important avenue to recognize these things.

You mentioned something that I think is very important. I'm very committed to this. That is public input, understanding how the communities feel, connecting with those communities in an appropriate way so that it's not a surprise. It's something that is done through engagement.

Frankly I think people in our States that are on the ground by these spectacular places or important places know that better than anybody else around the country. So I look forward to working with any number of Senators on the treasures that they may have within their State.

Senator HEINRICH. Thank you. I look forward to working with you as well. That's exactly why I used the phrase responsible use of the Antiquities Act because that public input is absolutely critical and so is protecting our crown jewels.

Public lands in places like New Mexico are really our constituent's backyards, sometimes their front yards. They're where New Mexicans go to hike, to hunt, to fish, to recreate and relax with their families, to ski. But one of the things that we have struggled with in recent years, it's true in New Mexico and it's true in a number of places around the Intermountain West, is that we've lost public access to public lands, responsible access because there are literally no rights of way across adjacent private lands to actually get to the public lands in some cases.

This can often be solved, oftentimes, by the Bureau of Land Management working with private land owners or State land agencies, State land commissioners to reopen public rights of way. But in many cases land agencies aren't even aware what lands the public has lost access to, legal access and often don't have any sort of a cohesive plan to restore access or to gain new access.

The President's 2013 budget included about two and a half million dollars for BLM to purchase easements for the sole purpose of



increasing access to Federal lands for hunting, for fishing, for recreational activities and the other things that we do on public lands. As Secretary will you ensure that maintaining and expanding legal rights of way to public lands is a priority for the Department and support a continuation of this important item in the BLM's budget?

Ms. JEWELL. Senator, thanks for the question.

Certainly in my most recent job at REI making sure that people have access to outdoor recreation is very important, but also respecting private property rights. I have found over the course of my work with many different land owners from States to local communities to private land owners and beyond that they're often times getting people to the table which is what I've done throughout my business career to discuss the issues and come to common agreement is a great way to work. I certainly recognize the importance of public lands for this purpose and look forward to working with you and the BLM on issues like access and easements across private lands as long as there is a willing party.

Senator HEINRICH. Absolutely.

Thank you, Ms. Jewell.

Ms. JEWELL. Thank you, Senator.

The CHAIRMAN. Very good.

Our next Senator is Senator Lee.

Senator LEE. Thank you, Mr. Chairman.

Thank you very much for joining us.

Multiple use is a principle that has become more or less synonymous with public land management policy on the Federal level. This is a fundamental concept of broad base concept that is designed to ensure that our Federal public land will be made open and available for a number of different uses including grazing, recreation, timber harvesting, mineral extraction, energy development and so forth.

Do you support the principle of multiple use?

Ms. JEWELL. Yes, Senator, I think my career reflects multiple use in a variety of different ways. I do.

Senator LEE. In your opinion if certain traditional uses of the Federal lands such as grazing were constructively phased out by the implementation of different rules and regulations would that really be any different than explicitly preventing grazing on those very same Federal lands?

Ms. JEWELL. Senator, I think it's important to understand what you're dealing with and understand the specific circumstances. So I—

Senator LEE. But as a general matter, a general matter, it's possible to phase those out through more subtle implementation of different policies. I mean, sometimes it has that effect, right?

Ms. JEWELL. I'm not sure, Senator, without understanding the specifics of what you're getting at. I think that it's important to know what are the uses of the land, what are the impacts of those uses, what is the science behind it, you know, bring all the parties together in a room to assess that, to assess the impacts in a variety of different ways.

Senator LEE. But you would certainly agree that as a general matter policies, Federal land management policies ought to focus

on preserving multiple use to the maximum degree possible and not eroding it.

Ms. JEWELL. I'm not exactly sure when you say multiple uses it depends on—I mean, multiple uses are important. Multiple uses in the Grand Canyon. The Grand Canyon is a National Park. It's got its primary use and in areas of oil and gas production or mining that is the primary use.

I think that it's important to look at things on a case by case basis to understand those uses and to respect them, you know, for their value to the region and our Nation.

Senator LEE. OK.

The Federal Government owns about 650 million acres of land in the United States. The overwhelming majority of it, I think around 500 million acres of that, will be under your jurisdiction primarily for the Bureau of Land Management. So this total land mass that I'm talking about that is federally owned is about 30 percent of the land mass in the United States.

Most of it, half of it or so, is located in the Western United States. In every State east of the Rocky Mountains the Federal Government owns 15 percent or less of the land. In every State Rocky Mountains and west the Federal Government owns 15 percent or more. In some States like mine, the State of Utah, the Federal Government owns two-thirds of our land.

This land ownership does have benefits for American people everywhere irregardless of where they live people enjoy hiking, recreating, visiting national parks. They benefit in different ways from different land designations that we have. There is also an economic impact.

Perhaps the most significant of which is the fact that Federal public land cannot be taxed by States and local governments. Principle land taxing authorities like county governments are unable to tax it. In order to offset that the Federal Government has created a program called PILT. It stands for Payment in Lieu of Taxes.

Considering that the whole purpose of this program, PILT, is to offset losses in property tax revenue to these local taxing jurisdictions, would you agree that these payments should be, in some way, roughly equivalent to the property tax revenues that would otherwise be flowing into these taxing jurisdictions but for the Federal land ownership?

Ms. JEWELL. Senator, I think the issue is maybe a bit more complex than a simple answer. I know that there are vast tracts of land that are sparsely populated. I do appreciate that it's important that without a tax base that there be appropriate support for those communities to be able to survive.

In some cases, as we saw and Chairman Wyden brought up, the economic impact of active outdoor recreation, a \$646 billion industry, some of those communities may enjoy some of those benefits from that land.

Senator LEE. They do. They absolutely do. I apologize for being abrupt. I just want to make sure I get in as many questions as possible.

They do benefit. Yet if you were to talk to many of them they would acknowledge that while wonderful the benefits from that type of tourism doesn't offset, in many cases it doesn't even come

close to offsetting, between when you add in PILT and the revenue from the tourism industry. It doesn't even come close to offsetting the economic burden.

So my point is simply this is not a burden that should be borne solely by those Federal land rich States.

Let me close just by making one more point about that that is related to it. I'll use San Juan County in Utah as an example of this, a county in rural Southeastern Utah. It's a sparsely populated, very poor county. Hard working people live there. 90 percent of the land of San Juan County is owned by the Federal Government.

So only 10 percent of that land is even subject to taxation. When you add on top of that Federal restrictions imposed by the Endangered Species Act, an act which your Department, should you be confirmed, will be administering. The impacts can be staggering as evidenced by the fact that the proposed listing of the Gunnison Sage Grouse.

This could have a huge, huge impact on these local residents in part because the critical habitat proposed by the Fish and Wildlife Service is overwhelmingly located in that 10 percent. The one part of the land in the county that the county can tax is the one part where the overwhelming majority of the critical habitat designated by the Fish and Wildlife Service is found. I don't know whether this is just coincidence or not. I don't think it's a coincidence because similar things happen elsewhere in my State and throughout the country.

So, I'm out of time. But I ask you to consider that. If you're confirmed to this position, please be sensitive to these local communities. Make sure that people in the Western United States are not bearing disproportionately a burden that ought to be borne by the entire country.

Thank you.

The CHAIRMAN. I thank my colleague and just would note for Senators because we, of course, share that interest in PILT as well, that on March 19th, week after next, with Secure Rural Schools we'll start looking at PILT. I look forward to working with my colleague.

Senator LEE. Thank you.

The CHAIRMAN. OK.

Senator Udall.

Senator UDALL. Thank you, Mr. Chairman.

Good morning, Ms. Jewell. It's great to have you here. I look forward to working with you as the Secretary when you're confirmed.

Two very close people in my life have helmed the Interior Department, my Uncle Stewart and my good friend and our colleague, Ken Salazar. So congratulations for the assignment that you're about to undertake.

You have a wide range of challenges facing you from the National Park Service to how we manage/designate wilderness to energy development on public lands and the ongoing Colorado River Basin study which is important to many of us sitting here on the dais.

I'd like to, in that spirit, focus on a few overarching issues facing the Department of the Interior. Let me start with the Land and

Water Conservation Fund. It's long been one of my top priorities. As you know it's been chronically underfunded since its creation 50 years ago. Additionally it will expire in 2015.

Could I get your commitment to work with me and our bipartisan coalition to find a long term solution for the LWCF program?

Ms. JEWELL. Senator, the LWCF has been critical in every county across the country in terms of bringing resources to bear for public lands, for recreation. I think it was a brilliant piece of legislation when it was enacted back in 1964. I absolutely look forward to working alongside you to support it in the future.

Senator UDALL. Excellent.

Let me jump to outdoor recreation but in the context of a balanced approach. Our colleague, Senator Cantwell, said that really characterizes your service within the private sector and the public sector to come and that's balance.

In Colorado you know we have a strong outdoor recreation economy. A recent study showed that it supports 125,000 jobs and about \$13 billion a year in revenue. You know this field very, very, very well.

I'm curious on your views as to how we ensure that when we're managing landscapes whether it's creating new wilderness, revising a BLM resource management plan or reviewing permits that we're maintaining an appropriate balance of uses. Specifically, how will you ensure that the Interior Department crafts balanced land use policies? For example, how do you balance the needs of back country users like hunters and anglers and hikers with major events like bike races?

Ms. JEWELL. Senator, thanks for the question.

REI serves a wide variety of people. As such we run into people that have different views on how public lands should be used. Throughout my business career I've been a convener of people with perhaps different interests to help them work those differences out in a room, so that you can come up with an appropriate use for the land, balancing the multiple uses that are there.

So whether hunters or anglers, mountain bikers, ORVers, development, oil and gas development companies or others, it's important that you get the people at the table to work together to find common ground, to the extent there is common ground. Over the course of my business experience I found that, you know, reasonable people want to work together to find common solutions. A lot of that is just understanding where each other is coming from.

So I am certainly committed, if confirmed, to the role of bringing that kind of approach to the Department of the Interior to better understand the issues.

Senator UDALL. Let me move to your business background. You have tremendous business acumen. If you think about USA Inc. you're going to head one of the most important divisions of USA Incorporated.

Can you talk about how your time in the private sector has prepared you to be Secretary of the Interior? Specifically can you talk about how you make decisions? You've alluded to this already, but I want to give you a little bit more time to do so as well.

Ms. JEWELL. Senator, government is different. I appreciate that I need to learn some of those things coming from the private sector. But I do know that there are many similarities.

That one of the things you do in business is you work hard to continue to refine your organization to be more efficient. You think about where are we going in the future and how do we lean into those resources, as necessary, to make sure that they are supported. What is it from the past that perhaps needs to be changed.

I look forward to getting to know the vast resources of the Department of the Interior and the various agencies to understand where are those opportunities to get synergies. Where are those needs to invest in the future in order to make sure that we are addressing some of the big challenges that we face. That's the kind of approach that I'll bring to this role.

It is getting a lot of information. But I'm certainly not afraid to make a decision when a decision needs to be made.

Senator UDALL. You have been a decisionmaker in your previous lives. I know you will be at the Interior Department.

Let me move to wildfires. In Colorado and much of the Intermountain West the drought continues. Snowfall early this year has been less than average. We're very concerned.

Could you talk about, particularly your perspective on, inter-agency coordination and discuss whether the Department of the Interior's adequately prepared for the 2013 wildfire season?

Ms. JEWELL. Senator, blending your last question with this question. There's no question that the U.S. Department of Agriculture, through the Forest Service, has major wildfire issues, as does the Department of the Interior. I think it's very important that the agencies cooperate together.

I did get a chance to sit down with Secretary Vilsack. We actually talked about wildfires and the preparation for wildfires. I would look forward to that kind of interagency cooperation because it's a big issue.

They are certainly increasing in their intensity for a variety of reasons, fuel, drought and so on. Coming up with a rational solution to try to get ahead of that game and work together, I think, is going to be critically important.

As far as readiness, I need to be confirmed for this position and dig in a little deeper before I can answer that specifically.

Senator UDALL. Thank you for that.

I know my time is expired. But I did want to make one final comment. It may surprise some people.

But Senator Lee and I are cousins and I want to associate myself with his remarks on the importance of PILT. I will look forward to working with you to ensure that those rural counties have full PILT funding as we go forward.

But thanks again for your willingness to serve our country.

The CHAIRMAN. Colleagues, the nominee has requested a brief break. So we're going to break for 10 minutes. When we come back we'll open with questions from Senator Scott.

[RECESS]

The CHAIRMAN. I understand that the nominee is back. If that is the case, let us have her come forward.

Alright, Ms. Jewell, let us have Senator Scott, who is next. He is one of our new colleagues and we welcome him.

Senator SCOTT. Thank you, Mr. Chairman.

Ms. Jewell, good morning.

Ms. JEWELL. Morning.

Senator SCOTT. President Obama has nominated you under the promise that you understand that there's no contradiction between being a good steward of the land and our economic progress. Yet this Administration has obstructed access to billions of barrels in ANWR off our Atlantic, Pacific and Gulf Coasts and on Federal lands out West. They've driven us backward on the development of nearly a trillion barrels of oil shale in the Green River formation in Colorado, Utah and Wyoming.

Now the Administration has obstructed the construction of the Keystone XL pipeline that will bring up to 830,000 barrels of oil per day from Canada to the Gulf Coast refineries.

My question for you is what will you do to change this troubling trend and what kind of leadership can we expect from you on ensuring access to our vast natural resources?

Ms. JEWELL. Senator, thank you for the question.

Senator SCOTT. Yes.

Ms. JEWELL. I certainly do believe in the President's All of the Above energy strategy. That is, as I have expressed, all of the natural resources that we possess. They are vast within this country.

I'm supportive of their safe and responsible development. I certainly will work along with Federal land managers in the areas under my jurisdiction to ensure that we are thoughtfully leaning into those resources, bringing the best available science and developing them in a safe and responsible way.

Senator SCOTT. It seems like, Ms. Jewell, that the President's All of the Above strategy has not included public land very much. It seems like our success has been in private land and State lands, but not on public lands federally owned. How would we change that under your leadership?

Ms. JEWELL. Senator, we're blessed with tremendous natural resources on both our private and our public lands.

I appreciate with a background in petroleum engineering that technologies come to bear that enable us to draw more from the formations that we have. My early career with Mobil was around water floods and squeezing the last barrel out of production out of some of the oldest oil fields in our country. Some of the private lands which became uneconomic are now more economic for their development through new technologies. That's part of the reason why you see an increase in production on private lands.

If confirmed as Secretary of the Department of the Interior, I'll look forward to working with my colleagues in the Bureau of Land Management and the U.S. Geological Survey to see how we can support the kind of development that is both safe and responsible on our public lands.

Senator SCOTT. So I can take that as a yes that you would explore perhaps a more aggressive approach toward using public lands when feasible?

Ms. JEWELL. I would say a balanced approach, Senator. Understanding the science behind it, the resources available, the econom-

ics. Of course, the Federal Government typically leases property to private companies. Private companies are interested when it's in their economic best interest. Typically that's what drives a lot of the interest.

The prices of the resources are also very important.

Senator SCOTT. I'll take that as a maybe and move onto the next question.

Resource estimates of the Atlantic OCS are hindered by a lack of data, especially the neuro-seismic exploration technologies that the industry has developed. Current undiscovered, technically recoverable resources estimates for the Atlantic OCS are around 3 billion barrels of oil, maybe 31 trillion cubic feet of natural gas. Do you support allowing the collection of seismic data in these areas, particularly as a South Carolina fellow off the Atlantic OCS?

Ms. JEWELL. Senator, I appreciate that to effectively lease the public lands you have to have a good idea of the resources that are there.

Senator SCOTT. Yes.

Ms. JEWELL. I am supportive of the work of the U.S. Geological Survey to do a more thorough assessment than has been done on the resources of the Atlantic OCS so that we understand those resources and can work alongside of the States and Federal OCS lands to explore their development, if appropriate.

Senator SCOTT. The Obama Administration's 2012 through 2017 leasing plan excludes the Pacific and Atlantic OCS. How would you approach the next leasing plan with respect to waters off the coast of South Carolina specifically?

Ms. JEWELL. Senator, I'm not familiar on a State by State basis.

Senator SCOTT. Yes.

Ms. JEWELL. On the OCS lands, but I do understand from speaking with the people at the Department that there is work planned with the U.S. Geological Survey to better understand the resources off the Atlantic coast. So that the next time a 5-year plan is considered that they can be considered within that plan. So I'm assuming that includes the Atlantic coast with South Carolina. But I'm not familiar with the area that they're assessing.

Senator SCOTT. Thank you.

Ms. JEWELL. Thank you, sir.

The CHAIRMAN. I thank my colleague.

Senator Cantwell.

Senator CANTWELL. Thank you, Mr. Chairman.

I was thinking about all of the questions that my colleagues have today. I was reminded of that quote that Gerald O'Hara says in *Gone with the Wind* that, land is the only thing in the world worth working for, worth fighting for, worth dying for because it's the only thing that lasts. So I think if you hear a lot of passion from my colleagues here today it's because everybody is concerned about the land and what lasts and how we deal with it. So we appreciate your willingness to do this job.

I remember when former Interior Secretary Norton was nominated there were a lot of questions about her involvement in the mountain states legal foundation, a conservative organization that sued many, many times, the Federal Government for many issues including Forest Management Act, the Endangered Species Act. So

I think Mr. Watt was also a very key member of that organization. So I don't know I kind of sum it up to what the Supreme Court said, that litigation is part of political expression and that people are going to have their political expressions.

But I wanted to ask you more specifically about we're not going to get a chance to the Indian Affairs Committee ask you questions, but I wanted to. I know you've had the support of Billy Frank, a long time Washington tribal leader. I wanted to get your comments on the Bureau of Indian Affairs which will be part of your responsibilities and whether you would commit to protecting treaty rights and incorporating tribal input into the Interior resource decisions.

Ms. JEWELL. Senator, as I mentioned briefly in my opening statement, I'm fully committed to upholding the sacred trust responsibilities that we have to Indian tribes and Indian nations and building and strengthening the Nation to Nation relationship that we have with tribes.

I know this is a very important part of the Department of the Interior.

I know that we will be working closely together with your Chair role on that committee. I'm certainly very interested in becoming more steeped in those issues. It has come up across the board in almost every one of my meetings with Senators so far. So I very much look forward to taking this part of the role extremely seriously.

Senator CANTWELL. Two, one issue that both the Vice Chairman of that committee, Senator Barrasso and I both have an interest in, is, you know, how to increase energy production on tribal land. There was legislation that was passed, but I think wasn't properly implemented. So, wanted to get your thoughts on both that issue of increasing energy production on tribal lands as well as the diversity and portfolio of increasing renewable energy on public lands, if you could give us your thoughts on those.

Ms. JEWELL. Absolutely. Thanks, Senator.

Some tribes are blessed with natural resources. I think leaning into those resources to help the tribes economically as well as help the country by finding sources of energy development are really, really important.

I know that businesses and tribes want certainty in terms of the regulations. I know that there have been issues with the Bureau of Land Management on how the leases occur. I certainly will look into furthering that development.

On renewable energy, I'm very pleased to hear about the work happening across the country on identifying those areas for both solar and wind energy that have the highest potential. So we can apply some of the things we've learned in oil and gas and coal development to the renewables as well finding the places of highest potential and working with industry partners to be able to develop those resources. I certainly look forward to digging in on that as well.

Senator CANTWELL. I think this is something that Secretary Salazar made great progress on. But we hope to, with your leadership, make much more progress and glad to hear that you think you can apply some of that experience learned in other resource ex-



traction to this because it is about great potential all across the country.

Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Cantwell.

Next in order of appearance is Senator Alexander.

Senator ALEXANDER. Thanks, Mr. Chairman.

Ms. Jewell, it's nice to see you.

Looking at your resume I see that you have worked on the Alaska pipeline, that you're an oil and gas engineer. You said you'd actually fracked a gas well?

Ms. JEWELL. I have.

Senator ALEXANDER. You were a banker for 19 years?

Ms. JEWELL. Yes, sir.

Senator ALEXANDER. You're Chief Executive Officer of a billion dollar company?

Ms. JEWELL. Yes, sir.

Senator ALEXANDER. How did you get appointed by this Administration?

[Laughter.]

Ms. JEWELL. I thought you were going to say I can't hold a job.

[Laughter.]

Senator ALEXANDER. It sounds like someone a Republican President would appoint. That's a remarkable background.

Have you been to the Great Smokey Mountain National Park?

Ms. JEWELL. Yes, sir, I have. I've enjoyed synchronized fire flies, hikes in the woods and actually talking with rangers about the challenges happening to your hemlocks in the Great Smokey Mountains.

Senator ALEXANDER. Have you noticed the amount of economic activity around the park?

Ms. JEWELL. Yes, sir. The first time in recent history I went there I went through Pigeon Forge. That was a lot of economic activity.

Senator ALEXANDER. That's the truth.

Ms. JEWELL. A bit of a shock. I went out the quiet way. Certainly the Great Smokies are an enormous driver for that region.

Senator ALEXANDER. Yes.

Are you aware that more than 9 million Americans visit the Great Smokey Mountain National Park every year?

Ms. JEWELL. Yes, sir, I am aware. I think it's a great illustration of the importance of public lands in populated areas like the East.

Senator ALEXANDER. That that's more than twice as many as visit the Grand Canyon and Yosemite National Park?

Ms. JEWELL. Yes, sir.

Senator ALEXANDER. Are you aware that the Federal appropriation for Grand Canyon and Yosemite, no matter how remarkable they may be, is more than the Federal appropriation for the Great Smokey Mountain National Park?

Ms. JEWELL. Sir, I'm not familiar with the appropriations for each park, but I certainly will become familiar.

Senator ALEXANDER. Would it seem reasonable to you that it might be that a park that has twice as many visitors as any other

park would have a Federal appropriation that would be about, at least the same as other important national parks?

Ms. JEWELL. Senator, I appreciate the value of the Great Smokies and I appreciate that we need to support our parks in a way that is sustainable given the resources. What I don't know is what does it take to manage one park over the other and what are the—what's the budget money used for?

So I think I would need to look into that.

Senator ALEXANDER. Would you be willing to work with me to review the funding formula that the park have? I've been through this before with others. I don't mean in any way to diminish the western parks, but they were carved out of Federal land. The people of Tennessee and North Carolina gave the Great Smokies to the Federal Government.

As a result of that there's a law that says there can be no fee. So not only do we get a little less money than the National Parks in the West by Federal appropriation, we don't get the extra fee moneys. So we have a remarkable amount of volunteer activity there.

I believe the National Park Conservation Association has been involved with the Great Smokies and encouraging and helping volunteer activities in the park. Is that correct or do you know anything about that?

Ms. JEWELL. I believe that's true, Senator. NPCA does a lot of work to bring private resources into our park system. The Great Smokies, because of the traffic, is certainly one of the parks that has pressures that are alleviated somewhat with volunteer support.

Senator ALEXANDER. You were a part of the commission to look at the next century for the National Parks. Was the NPCA involved in sponsoring that?

Ms. JEWELL. NPCA was a convener along with other organizations like the National Geographic Society as a group of a number of people, both sides of the political aisle including Senator Portman, who I think has stepped out for a minute. But yes, we work together shaping the future of the National Parks in their next century.

Senator ALEXANDER. You are a member of the board of the University of Washington, correct?

Ms. JEWELL. Yes, sir.

Senator ALEXANDER. Are you familiar with the record of their football team?

[Laughter.]

Ms. JEWELL. Unfortunately, I am, sir.

Senator ALEXANDER. Is that your fault?

[Laughter.]

Ms. JEWELL. Completely.

Senator ALEXANDER. Yes.

Ms. JEWELL. I accept full responsibility. If confirmed I think the football team will do better.

Senator ALEXANDER. Oh, good.

[Laughter.]

Senator ALEXANDER. The Obama Administration is very interested in wind power. Would you agree that there's some places where giant wind turbines might be inappropriate and that one of

those regions might be the scenic mountain tops of the Eastern United States, such as along the foothills of the Great Smokies or along the Blue Ridge Mountains of Virginia?

Ms. JEWELL. Senator, I think there's no doubt that when we look at all sources of energy, including wind power, that we have to look at their impact on the environment, on the viewsapes, on, you know, the history and culture of those regions and bring people around the table to make sure that there is support for the kind of projects that we're doing.

Senator ALEXANDER. Yes. My time is up. But I believe in saving mountaintops. I'm not in favor of blowing the top of them off and dumping it in streams nor am I in favor of putting giant wind turbines on top of them that you can see for 20 miles and destroying the view.

So I'd hope you keep that in mind as you develop policies to encourage the appropriate placing of those energy facilities.

Thank you, Mr. Chairman.

Ms. JEWELL. Thank you.

The CHAIRMAN. I thank my colleague.

I do wish the Huskies football team well on your watch, Ms. Jewell, except when they play the Ducks and the Beavers.

Ms. JEWELL. You've been doing well, so.

The CHAIRMAN. I understand that.

Ms. JEWELL. Yes.

The CHAIRMAN. Senator Johnson is next.

Senator JOHNSON. Recently, we have seen drastic cuts to the construction budgets for rural drinking water supply projects. The Lewis and Clark water system is vital to the economic development in South Dakota, Iowa and Minnesota. Yet recent budget requests have been insufficient to even keep pace with inflation let alone put pipe in the ground. The BOR acknowledged in a report last July that the current pace of federal funding will add decades and substantial costs to these projects.

If confirmed will you make completing these already authorized rural water projects a higher priority than is currently the case?

Ms. JEWELL. Thank you for the question, Senator. I did hear the same issue from some of your colleagues in neighboring States.

I appreciate that water is a very significant issue, a life or death issue, one might say. In talking with several of your colleagues I've heard that whiskey is for drinking and water is for fighting. I know that these are very, very important issues.

Rural water in particular and drinking water which is essential for daily life is a high priority. I appreciate that we can't do some of these things without appropriations. I would look forward to working with you and your colleagues in the neighboring States to encourage our appropriators to ensure that there is money in place to get this water moved to the critical communities that need it.

Senator JOHNSON. Will you urge OMB to do the same?

Ms. JEWELL. Yes, sir. I will certainly advocate for the rural water projects with OMB.

Senator JOHNSON. The Prairie Pothole region supports a rich, ecological and cultural heritage. It also fuels a major economic engine. According to the Congressional Sportsman Foundation, sportsmen and women provided more than \$1 billion in economic

impact from hunting, fishing and camping in South Dakota in 2011.

Conservation easements help protect this vital ecosystem by maintaining productive wetlands and grasslands on private lands across our landscape. Reliable funding from the Land and Water Conservation Fund, along with State, local and private matching funds is critical to protecting 240,000 acres of wetlands and 1.7 million acres of grassland habitat in working partnership with ranching families across the Dakota Grasslands Conservation Area.

What will you do as Secretary to ensure that multi-year efforts like the Dakota Grasslands Conservation Project don't lose steam due to uncertain and constantly fluctuating funding levels of LWCF? Are there additional ways you can see that we could fund conservation programs that clearly provide a big return to local economies?

Ms. JEWELL. Thank you, Senator.

As Chairman Wyden mentioned in his opening comments, across the country the active outdoor recreation generates \$646 billion in economic activity on public lands. Certainly in the Dakotas it's a very, very important part of the economy there.

I did have an opportunity to meet with the Congressional Sportsman Caucus and talk about some of these issues. I appreciate that many of our hunting and fishing organizations are really critical players in identifying habitat and then working with private landowners and public landowners to understand that resource to effectively manage it sustainably for ongoing sportsman activities.

So I would look forward, if confirmed in this role, to leaning into those critical partners, as well as the resources at the Department of the Interior and local States, to identify and support funding for these resources. Land and water conservation certainly is an important part of that. I look forward to its continued support and perhaps funding at a higher level than we've had over the recent past.

Senator JOHNSON. As you know, our Indian schools face higher dropout rates, lower test scores and inadequate facilities. What are your plans for Indian education at the Department?

Ms. JEWELL. Senator, I'm committed to upholding the sacred trust responsibilities the Department of the Interior has. That includes the Bureau of Indian Education. In many of my conversations with Senators this is a very big issue including in our conversation together.

I know that the issues are difficult. I know that they're long serving. I hope that through collaboration with the Department of Education we'll be able to enhance the educational opportunities within Indian country across this country. It is a difficult issue and a very, very important priority if we are to, in fact, help tribes working on a Nation to Nation basis, improve the economic opportunity, especially for their young people.

Senator JOHNSON. Thank you.

Ms. JEWELL. Thank you.

The CHAIRMAN. Senator Johnson, thank you.

Let's see, I believe Senator Heller is next.

Senator HELLER. Thank you, Mr. Chairman.

Can I include the USC Trojans in that list of exemptions?

[Laughter.]

The CHAIRMAN. I had a sense my comments would allow things to get out of hand.

Senator HELLER. Ms. Jewell, welcome, and to your husband also. Glad you're here and congratulations on your nomination.

I want to talk, if I may, about mining a little bit. I know mining is important to the West. But it's gold and silver mining, of course, and it's very important to Nevada.

As an example, just last year they provided \$559 million in taxes, mining taxes and taxable sales and 25,000 jobs, a billion dollars in wages and roughly 15 percent job growth rate. So mining is important to Nevada, as it is to all the West.

In the course of some research in your speeches and interviews you've given I know since you repeatedly refer to the idea that certain places are threatened and need to be protected from development. You've helped fund some of these efforts through your professional and personal careers, including your leadership as mentioned by the Senator from Wyoming in the NPCA. In those funding efforts you've stopped some of these threats which has included mines in Alaska and in Arizona.

So my question is do you believe that mining is a threat to public lands?

Ms. JEWELL. Senator, over the course of my varied business career and as a banker I've done business with a number of different mining companies including gold and silver mining companies. I appreciate the importance of strategic materials and certainly coal to our economy and to the manufacturing processes. We all enjoy products made from these materials.

I also appreciate that the mining companies that I have worked with over the course of my career are responsible. They are not looking to threaten the habitat or the environment. They're looking to do things by the rules. I think they've also recognized that rules are important.

Senator HELLER. Right.

Ms. JEWELL. So, I certainly don't have anything against mining.

Senator HELLER. Good.

Ms. JEWELL. I know it's important in the State of Nevada and look forward to responsible development of those resources as well.

Senator HELLER. Good. Good. Thank you for the answer.

87. I know everybody keeps raising the bar, but 87 percent of Nevada is owned by the Federal Government. So when the Interior sneezes we feel an earthquake in Nevada. So that's why these issues are so very important to Nevada.

I want to talk about Sage Grouse for just a minute. The issue and I'm assuming that my other colleagues will want to talk about this but the impact of wildfires. Just last year in Nevada we had 944 individual wildfires. We burned over 613,000 acres which is about 1,000 square miles or roughly the size of Rhode Island. So in essence we burn Rhode Island in Nevada every year.

The impact of those wildfires and the impact that it has on Sage Grouse is critical. Now here's the concern. The Senator from West Virginia, though we're not cousins, we do agree that there are some unusual regulations. He was talking about some regulations not

determining the difference between a stream and a drainage ditch at the Department.

My concern is is that we have ranchers that have allotments on Federal lands that are told they can't put out a fire. So if they're out there with their cattle, with their sheep, whatever they're doing out there and they see a lightning strike and a fire starts, they are told by the Department of the Interior you can't put that fire out. They have to sit there and watch it burn.

Now I have concerns with that. I don't know if you're aware of that. But I'd certainly like to work with you in trying to determine a better way of handling this. Of the 944 individual fires we probably could have put a majority of those out by the individuals that were present at the time but are restricted from putting those fires out. Yet at the end of the day we burn 1,000 square miles.

So anyway, I would hope. I don't know if you have any feedback on that. But I would hope at some point you and I could have that discussion and seeing if there's any changes that can be done to assure that not only are we avoiding these wildfires, but at the same time saving the precious habitat for these Sage Grouse.

Ms. JEWELL. Yes, Senator I'm not familiar with the details around the wildfires and the BLM rules. I do know that fire is good sometimes and not good other times. Some of it has to do with invasive species and other things, the fuel load and the temperature of the fire.

So I'm not steeped in the details. I certainly will look forward to working with you and others in your community to better understand these impacts and address them as necessary.

Senator HELLER. With that, thank you.

Ms. JEWELL. Thank you.

Senator HELLER. Thank you, Mr. Chairman.

The CHAIRMAN. Next in order of appearance, Senator Franken.

Senator FRANKEN. Thank you, Mr. Chairman.

Congratulations, Ms. Jewell.

Ms. JEWELL. Thank you, Senator.

Senator FRANKEN. Thank you for coming to my office. We had a great discussion on the issues that matter to me. We did talk about climate change a little bit.

When we talk about the issue of wildfires we had the Director of the Forest Service here. I asked him if the size of these fires, the longer season of these fires, the greater intensity of these wildfires. You talked about the invasive species or say, bark beetles, who are living at higher altitudes now whether the scientists at the National Forest Service felt that this was all being exacerbated by climate change. He said, yes, without hesitation.

So I know that a big part of what you're going to be working with is mitigation of climate change, the effects of climate change. We talked about that.

Ms. JEWELL. Yes, sir.

Senator FRANKEN. I thank you.

I know that Senator Johnson brought up Lewis and Clark. It's a very important issue to us, to Southwestern Minnesota, to Northwestern Iowa. Interior Secretary Salazar said it was a priority. I just want to know what you might do differently than him because this is a place where all the local governments have not just paid

100 percent of their share, but are also paying on top of that to get water that isn't being delivered there.

Is there a different approach that you might consider taking?

Ms. JEWELL. Senator, I appreciate the importance of this issue and the challenge around Federal funding in general. I am not steeped enough in the techniques and tools that have been tried yet and what might be available to try in the future. But as I said to Senator Johnson, I appreciate how important this is to the region. I would look forward to working with you and appropriators as necessary to see what's possible in moving forward on this important issue.

Senator FRANKEN. Thank you. It's an economic development tool. This is a very kind of infrastructure that the President talks about infrastructure that creates jobs. So I appreciate that from you.

I'm on Indian Affairs and we also talked about the importance of Indian Country to me and some of the problems that exist there. I would just encourage you to use your office to work with Deputy Secretary Washburn.

We can work in terms of energy projects in Indian Country. There are a lot of reservations that are isolated that could probably use their own sources of energy to power themselves. I would encourage you to get to travel around to Indian Country and really get to know that world.

Ms. JEWELL. Senator, I appreciate very much the responsibility that the Department of the Interior has to tribes and the Nation to Nation relationship that we have. I think that energy development is an important potential source of revenue for tribal lands where they are blessed with those resources. I certainly look forward to helping in the development.

Senator FRANKEN. Yes. I think if you'll go to, for example, I had the opportunity to go to Arizona last summer. I found they had a lot of sun.

[Laughter.]

Senator FRANKEN. It was dry sun, but it was sun. There's wind on those lands. Sometimes there's not the transmission that is needed. There are real opportunities for having self contained energy systems.

I had a delightful meeting with you, wonderful meeting. I really look forward to working with you as Secretary.

Ms. JEWELL. Thank you.

Senator FRANKEN. Congratulations, by the way on the nomination.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Franken.

Next is Senator Risch and then Senator Landrieu.

Senator RISCH. Thank you very much.

Ms. Jewell, thank you so much for taking time to meet with me. As I told you I spent substantially more time with you than I have with most nominees including a couple of Supreme Court Justices that came to see me. Obviously if you look here at the, from our side, well, even with Senator Wyden, but just about everybody here has got two-thirds of their land that is owned by the Federal Government which makes dealing with the issues that we face at home very difficult.

So unfortunately you get caught up that this particular point when it gets caught up in parochial issues which is somewhat unfortunate. But it's one of our few opportunities to really deal with those.

So I want to talk about the one that you and I talked about at some time, for some time, and that is the Sage Grouse issue and what I feel is a real shortcoming in the Department. That is the conflict between agencies within the Department and the Secretary's inability to resolve those.

I'm so glad to see a CEO come and take over the agency. Having been a CEO I know how you do that. I know how to resolve conflicts below you, but not when you have to dance to the tune of somebody else. We all know that that happens with the White House regardless of what you want to do some person that's not really identified in the White House will call the shots. That's kind of what we're having with the problem with right now on Sage Grouse.

Secretary—and by the way, your unsolicited statements about the collaborative process I was so tickled to hear because that's how these environmental conflicts are going to be resolved in the future. There is no question about it. You know, we've had war for 40 years over this and now both sides are realizing that if these things are going to get resolved, it's going to be through the collaborative process.

Now I explained to you that in Idaho, shortly before I became Governor, President Bush, the Bush Administration invited Governors to wade into the road less issue. I took that on when I was Governor. We did it through the collaborative process, painful at times. But took it all the way through the ninth circuit this year, affirmed what we did in Idaho. Now we have the only road less plan that is court approved and written in the States through the collaborative process.

We really need to do the same thing with other things. We have not had a good experience with Interior on some things that we were promised that the collaborative process would prevail and then didn't. We're now facing the same thing with Sage Grouse.

Secretary Salazar promised the Western Governors that if they got together in their States and came up with individual management plans the BLM would carve those States out of the national IM. As you know there's a national interim management plan for Sage Grouse. But the States want to do this. We desperately want to do this ourselves. I know this may come as a shock to the Federal Government, but we can do it.

What we did in Idaho is we got together. I say we, the Governor led this, as is appropriate. We have a plan put together.

The difficulty—and by the way, and I hope I don't endanger this guy's job. But the fellow, who is head of the Fish and Wildlife Service in Idaho, really likes what we did. Likes the collaborative process, likes the plan that we came up with, said in a letter dated August first last past, a number of things that really spoke well of the plan that we had. I'm not going to read this into the record, but Mr. Chairman, I would like to have this in the record. This letter made part of the record.

The CHAIRMAN. Without objection, so ordered.



Senator RISCH. But my point is is that the Fish and Wildlife Service which you're going to supervise is in charge of species. The BLM is in charge of soil and plants. The problem we got is the BLM is attempting to exert its influence over the species when indeed the Fish and Wildlife Service knows better than they do.

We're hung up right now and hung up badly. This needs to be resolved. I don't know how to put this gently. But it's going to be resolved and there's going to be substantial progress on this prior to you becoming Secretary of the Interior.

Now, I was so glad to hear you talk about how important certainty and clarity was to businesses. You and I share that. I love the free enterprise system and the free market system. The only way it can operate is with certainty and clarity.

We have almost 2,000 grazing permits that are operated by individual operators in Idaho. They need certainty and clarity. They don't have it with the problem we have with Sage Grouse.

This is within the hands of the Secretary to resolve. I really hope this gets resolved. It needs to be resolved before this process goes forward.

So I intend to work with them. I suspect after this I'll be hearing from them very quickly as to what we need to do. I have some really, really good ideas for them.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you, Senator Risch.

Senator Landrieu.

Senator LANDRIEU. Thank you.

Let me begin, Ms. Jewell, by thanking you for being willing to serve. It's a very important job that the President has nominated you for. I think you bring a particularly interesting and exciting set of skills to this job. I appreciate the meeting that we had for quite a long time in my office.

I want to thank the Chairman and the Ranking Member so much for their focus on revenue sharing as a possibility of giving States and local communities some additional resources that can address some of the many issues expressed on both sides here today.

I wanted to call your attention to a fact that I think is very troubling but also promising. Since 1950 when offshore production began in this country the coastal States have sent \$211 billion to the Federal Government. Onshore production, while it's exciting and contributes to the needs of our Nation, has brought \$61 billion.

So offshore has contributed 3 times the amount of money to the general fund. The \$30 billion, the difference is that of those amounts, although it's 3 times more for the offshore, \$30 billion of the 61 has been maintained by the western States and the interior States. Only a few million dollars has come back to the coastal States.

Now both western and coastal States are impacted. Both receive benefits of the jobs. But I want to show you a picture is worth a thousand words. This is what the coast of Louisiana looks like. These are the pipelines connected to wells off the coast of Texas, Louisiana, Mississippi and Alabama. This is the Mobile Bay.

You can see that it is concentrated under the States of Texas, Louisiana, Mississippi and Alabama. This is where the \$2.11 billion for the Federal Treasury has come from. With a little bit com-

ing off the coast of California, but not much. We have sat here since 1950 producing the oil and gas, developing the technology for the world, proud to do it and cannot get a penny from the Federal Government to save the land that this production is coming from.

Ms. Jewell, I have said this is one of the great injustices in the law today. I want some comments from you about the opportunity to fix this. Right now we have a bill that gives us 37 percent, but we're arbitrarily capped at 500 million. Four States have to share it and the land and water conservation.

So my question is, are you aware of this? What can you do to advocate for its correction?

Ms. JEWELL. Thank you, Senator Landrieu. I appreciate the conversation that we had in your office on this topic as well.

I know that we're all in a situation with a tight Federal Treasury. It would take good collaboration to assess what an appropriate change of the revenue sharing agreement might be. I certainly have heard from a number of Senators about this issue. If I'm confirmed in this role I'd look forward to better understanding the issues from different States and hopefully bringing it to an appropriate resolution.

Senator LANDRIEU. I also want to call your attention to this graph which is—this is the oil and gas wells in Louisiana onshore as well as the pipes offshore to show you the amount of contribution that our State is making. Meanwhile we also drain 40 percent of the continent, nurture 40 percent of the seafood for the whole entire country and the activity that goes on here for trade and commerce benefits everyone in the world, not just the people in our States.

Second, with my time left, Louisiana ranks second in natural gas production behind Texas.

We're seeing a Methex corporation decompress, I mean decommission its plan in Chile, move it to South Louisiana.

Williams Petrochemical Company in Tulsa is planning a 400 million expansion in Ascension Parish right here.

CF Industries, one of the world's largest producers of nitrogen, fertilizers, looking to spend 1.2 billion.

That's over 3.5 billion in one Parish, in this community that's happening because of the expansion of natural gas drilling in this country and the promise of a manufacturing renaissance which will create millions of jobs.

Are you aware of this? Can you comment briefly, I know my time is about ready to expire, on your understanding benefit both for the environment and jobs for natural gas?

Ms. JEWELL. Senator, as the Chairman said in his opening question to me as well, we are a country that is blessed with all kinds of resources. Natural gas is a very significant component of those resources. I think safe and responsible development of natural gas is an important component to our future.

Senator LANDRIEU. Thank you.

The CHAIRMAN. Thank you, Senator Landrieu.

Senator Flake.

Senator FLAKE. Thank you. I'm sorry for having to step out to another mark up. I appreciate you coming to my office. I enjoyed the discussion there.

Let me follow up on something we talked about there, the Navajo generating station in Northern Arizona. You understand the significance of that. It's a coal fired plant that the largest owner is the Bureau of Reclamation which you will oversee, that uses that share of power to make water deliveries to the Central Arizona project.

These deliveries are used to satisfy water settlements to the Native American tribe, irrigation districts, residential water users in Tucson and Phoenix. Lease payments for the plant and the associated mine also provide a huge part of the Navajo and Hopi budgets, given your responsibility for the tribes, extremely important there. Given the complex needs that are satisfied by the plant and all the different interests involved, I'm just wondering how you're going to balance all of this. Some of them are competing interests.

You have been on the Conservation Association board, I know in the past the NCPA argued that a study that was desired by the Department of the Interior would interfere with the regulatory process. The Secretary of the Interior, David Hayes, or Deputy Secretary, wrote a letter in response noting that the NCPA misunderstood the purpose of the study and that its concerns were misplaced.

He further asserted this study was a critical, unbiased effort to provide EPA code information regarding the potential impacts on water costs and tribal economies. In light of NCPA's past statements about NGS is this something that would keep you from seeking information from other groups? That's my concern here. As we get all the information about the potential benefits by this massive cost that would be incurred, likely causing that plant to shut down. But NCPA seemed to not want some of that information out.

Can you just give me, enlighten me on that? Where you stand and if you were part of that process or that thinking at NCPA?

Ms. JEWELL. Thank you, Senator. I appreciated our discussion particularly on the Navajo generating station. I learned a lot from that as I am learning from the Department of the Interior as well.

NPCA is a non-profit organization founded in 1919 that supports the National Parks. I'm one of about 30 board members. I play no role in the litigation. So to the extent that there is any NPCA engagement in anything with Interior my first step would be to confer with the appropriate ethics officials to determine my appropriate engagement on that issue.

Two, the Navajo generating station, itself, as you point out, is very complex, but very, very important to the Navajo and Hopi tribes, as well as the Bureau of Reclamation. Clearly a complicated issue that Deputy Secretary Hayes has been working on for some time.

Senator FLAKE. Right.

Ms. JEWELL. I will absolutely look forward to diving in and better understanding the issue.

Senator FLAKE. Just 2 days ago the NCPA intervened in a lawsuit against the State of Arizona seeking the most stringent requirements, visibility requirements, on 3 power plants throughout Arizona. These coal fired power plants, Apache generating station is one of those. It's unclear whether this high cost will improve visibility at all or have any noticeable benefits.

But here again NCPA is filing a lawsuit requiring that stricter thing. So I just want to say I hope that that doesn't influence where you are at Interior because you have a lot of competing interest there. Some of them, including the tribes and others, are only forward. I would submit if we keep that plant running and to meet these obligations.

Is that how you see it or what's your response?

Ms. JEWELL. Senator, I appreciate the importance of this plant as we discussed and as I referenced a minute ago. Again my first stop, if NPCA has been involved in some way in this, would be to the appropriate ethics officials to determine what role I could play.

Senator FLAKE. Let me step back a bit. This has been quite routine now for outside groups like NCPA to sue and then for the Department to enter into negotiations, the so called "sue and settle." Many times or most times the State and other interests are left completely out.

What's your feeling on the part of the "sue and settle?" You know, this may have been addressed earlier on, but it's very concerning, I can tell you, to State and local officials and others who have an interest and our stakeholders in something like a coal fired plant or other power generation. Then an outside group will come and sue and the agencies will negotiate directly with them. Sometimes the State of Arizona has to file a suit just to get a place at the table to figure out what's going on. What are your general thoughts in that area?

Ms. JEWELL. Senator without having a background on the specifics, as I said as it relates to NPCA, I've played no role in the lawsuits. What they do. I will say this that in the case of that organization, the lion's share of the work the board does is in support of the National Parks, understanding what their needs are, bringing volunteers to bear, advocating for funding and lawsuits are a small part of what that organization does.

Senator FLAKE. Let me move away from the NCPA. Just in general whether it's Center for Biological Diversity or other outside groups, the tendency is for them to sue and the agencies to enter into negotiations and settle without involving the local governments or other stakeholders. Can you pledge or is it your feeling that we ought to work to include these stakeholders rather than exclude them?

Like I said sometimes they have to sue just to get a place at the table when they are very much affected by the outcomes of some of these settlements.

Ms. JEWELL. Senator, as a business person one of the things that I have done throughout my career is bring parties to the table and try and reach agreement on difficult issues so that it doesn't require measures like lawsuits in order to uphold the laws that this body has passed. Certainly, if confirmed in this position, I will look forward to bringing parties to the table to discuss the different points of view and see if we can find common ground.

Senator FLAKE. Thank you. I know that State and local governments in particular would be appreciative of being involved in that process early on and being at that table rather than presented with a settlement that they have to live with and had no role in bargaining for. So, thank you so much.

Ms. JEWELL. Thanks, Senator.

The CHAIRMAN. Thank you, Senator. I very much share your view about getting the stakeholders together in that kind of up front, preventive way. I was glad to see that you and the nominee share those interests.

Senator Sanders is next.

Senator SANDERS. Thank you, Mr. Chairman.

Thank you, Ms. Jewell, for being here. Thanks for dropping by the office last week.

Ms. Jewell, it's my view that history will look back on this period and ask how it could happen that the United States of America, the U.S. Congress, did not respond vigorously to what the scientific community regards as the greatest planetary crisis of our time which is obviously global warming.

I sit, not only on this committee, but the Environmental Committee as well. Recently we have heard from scientists who tell us that if we do not get our act together and cut back substantially on greenhouse gas emissions, it is altogether likely that the temperature of this planet will rise by 8 degrees Fahrenheit by the end of this century causing cataclysmic problems throughout America and throughout the world. Sadly, some of my colleagues believe that global warming is a "hoax perpetrated by Al Gore, the United Nations and the Hollywood elite."

So my first question is global warming a "hoax perpetrated by Al Gore, the United Nations and the Hollywood elite?" That is a quote from the former Ranking Member of the Environmental committee.

Ms. JEWELL. Senator, I think the scientific evidence is clear. The President referred to climate change in his State of the Union Address. There is no question in my mind that it is real and the scientific evidence is there to back that up.

Senator SANDERS. If that is true and I'm glad to hear you say that. What the scientific community tells us that we need to move in a very rapid fashion to transform our energy system away from fossil fuel into energy efficiency and sustainable energy. That the United States can and should be a leader in the world in getting China, India and other countries to move in that direction.

Do you believe that global warming is an issue of urgency which the U.S. Government, including the Department of the Interior, should act upon? Is it urgent?

Ms. JEWELL. Senator, the Department of the Interior, with the lands under its management, experiences many of the impacts that scientists have attributed to climate change, such as droughts, wildfires, floods. These are matters that certainly require both adaptation as well as thoughtful, scientific based means to address.

Senator SANDERS. I'm not quite clear about what that answer is. Let me just give you an example. When Secretary Salazar was before us some years ago I asked him what he thought the potential was in terms of sustainable energy on public lands. There are people who refer to the southwest States like Senator Flake's Arizona and others as the Saudi Arabia of solar, I mean, just huge potential there.

He said, Salazar said, that there were—there are over 100 or there are over 10,000 megawatts, enough for 3.4 million homes of

renewable energy projects including 18 utility scale solar facilities, etcetera, etcetera. He also said that we have the potential on public lands to generate enough power through sustainable energy, primarily solar, to meet the demands of 29 percent of the Nation's homes.

Are you going to be aggressive in pushing solar and wind and sustainable energy on public lands?

Ms. JEWELL. Senator, I think that renewable energy is a very, very important resource to be tapped on our public lands. As CEO of REI I'm very proud that we were able to grow our business over the last few years while reducing our energy footprint. We did that by solar installations on some of our stores. We also did that by locking in long term power supply contracts with renewable energy thereby creating the kind of certainty that these utilities need to support these projects.

I think that there is tremendous potential to continue to do that kind of work.

Senator SANDERS. If you were to be confirmed could I count on you as to be a strong ally in transforming our energy system away from fossil fuel into energy efficiency and sustainable energy?

Ms. JEWELL. Senator Sanders, I support the President's All of the Above energy strategy and that includes a continued significant emphasis on renewables. The President has stated that he wants to more than double the production by 2020 of our renewable energy sources. I understand that the Department of the Interior has 10,000 megawatts already that have been supported in renewables on public lands. I certainly look forward to continuing that emphasis.

Senator SANDERS. Thank you. On another more, kind of, smaller issue, if you like, but one that I've been concerned about. I work with the Smithsonian Institute to kind of transform their purchasing practices away from buying products made in China and selling Chinese products in our gift stores to buying American. They've done a pretty good job in that.

What we have found in our National Parks there are two primary contracts.

One is doing a good job in buying American products.

One is not.

Can you give me assurances that you will do your best to make sure that the products sold at American parks are made in America?

Ms. JEWELL. Senator, I think that we would like to see American manufacturing create jobs in America. I also know through my most recent work in the outdoor retail business that some products are available in America and others are not. I think creating demand for products made in America is important.

I also know that the public may buy American if it's of similar quality and similar functionality. I think there's the domestic—

Senator SANDERS. Will you make that effort? I mean the Smithsonian has done a good job. There are products that are made in America which are quite affordable, can compete with foreign products if we have the will to go out and find those vendors.

Will you give us a pledge that you will make that effort to find those vendors?

Ms. JEWELL. Senator, I will certainly work with Jon Jarvis, who is the Director of the National Park Service, to understand the role that the NPS plays in the gift shops. I don't know how the relationship works with the contractors to ask them about this issue and see if we might be able to make some progress in that regard.

Senator SANDERS. Thank you.

Mr. Chairman, thank you.

The CHAIRMAN. I thank my colleague.

I thank my colleague for bringing up the issue of climate change because certainly this is something this committee can be very much involved in addressing. Just the forestry matters that we were talking about earlier, carbon sequestration. Opportunities to promote a low carbon economy clearly is an important item for consideration in this committee.

I just want to tell my colleague as well that when the President at the State of the Union talked about bipartisanship in terms of climate change and he mentioned Joe Lieberman and John McCain, I'll just tell my colleague I was sitting next to Senator Murkowski and both of us were paying a lot of attention to that. So look forward to continuing the discussion.

Senator Hoeven.

Senator HOEVEN. Thank you, Mr. Chairman.

Ms. Jewell, good to see you again. Thank you for coming by the office and for your willingness to serve and for being here today.

Let me start out. You mention you support the President's All of the Above approach to energy development. So, indicating that you will support an all of the above energy approach on public lands. We talked about that.

But specifically will you support fossil fuel development, meaning coal, oil and gas, on public lands?

Ms. JEWELL. Senator, we are blessed with lots of resources. I appreciate that they are necessary to drive our economy. I appreciate that the resources are there and technologies are enabling us to tap them along with renewables.

I think that that is reflective of all of the above. I'm certainly supportive of that.

Senator HOEVEN. OK.

Right now, for example in my State, to permit a new oil well on private land it takes 10 to 14 days, but on public lands, like BLM lands, it takes 290 days. Will you work with us and with your people and you have some great people out there. Will you work with us to expedite the permitting process?

Ms. JEWELL. Senator, I appreciate as a business person that businesses need certainty. They don't mind playing by the rules. They need to know what the rules are. I appreciate from speaking with some officials at the Bureau of Land Management that they also are committed to a permitting process that's predictable and reasonable and reliable for the industry.

So I look forward to working with them on that.

Senator HOEVEN. So you will work to help us expedite the process?

Ms. JEWELL. Yes, sir.

Senator HOEVEN. This affects the tribal lands too, both the permitting, but also hydraulic fracturing. Will you work with us on a

States first approach for hydraulic fracturing which is vitally important to our Native American friends on tribal lands as well as on public lands? So States first approach hydraulic fracturing.

I know that you understand hydraulic fracturing very well being an engineer and having a background in the oil and gas industry which I think offers opportunities for us to work together. But we need a States first approach. Some of the members have talked about that so that we have the flexibility to do things right and well throughout the country because hydraulic fracturing is different in different places. So you can't have a Federal, one size fits all.

So specifically will you work with us on a States first approach?

Ms. JEWELL. Senator, I know that the job that I will have is to oversee Federal lands. The regulations associated with those Federal lands are in support of the American people's ownership of the Federal lands which certainly involves the States and the regions and specific local knowledge. My knowledge of fracking which is a little bit dated I will grant you, but the principles are still the same, is that it's different by different regions as you point out. I think it's very important that the BLM as it works with the industry understands those local situations so that they can work to develop the resources in a safe and responsible way.

I think working alongside States, working alongside scientist, working alongside industry is the right approach to come up with a set of rules that are safe for the environment, but also support the opportunities that industry is trying to—

Senator HOEVEN. That said, I think the Chairman will tell you the same thing and our Ranking Member, we're working to do this on a good, solid, sound environmental way but with flexibility, common sense, rules. A State's first approach is about that empowerment that's so important for States and particularly for private industry and the private investment you need to develop and deploy the technology to not only produce more energy. But do it with good stewardship.

Again, your background creates a real opportunity here if you'll engage in working with us on that.

We also, now shifting to the renewable side, we have to site wind farms and we have to site transmission to develop renewables. Will you work with us? Will you ask U.S. Fish and Wildlife to work with us so that we can develop those alternative energy sources as well?

Ms. JEWELL. Senator, alternative energy is a very important part of the President's All of the Above energy strategy. I'm certainly supportive. I also appreciate that where the energy is found is not necessarily where the demand for that energy is and it requires moving energy in many cases, particularly in the West, across public lands.

So I look forward to balancing the interests of transmission with the other competing interests that the various agencies are dealing with in many cases fulfilling their commitment under the laws that are passed by this body. So it's complicated. I know that I will need to engage in this. I look forward to doing so.

Senator HOEVEN. We'll need your help, I mean, to develop the renewables on shore and off. It's going to take, you know, that infra-



structure. Again, your agency is going to have to be creative in helping us get it done.

It's one thing to say we want it. It's another thing to do it.

Ms. JEWELL. I understand.

Senator HOEVEN. But you're committed to helping us in that endeavor?

Ms. JEWELL. Yes, sir.

Senator HOEVEN. OK.

The last question is I'm going to shift to a water project. In our State we have a congressionally authorized water project. It's been authorized for quite some time. It would actually bring water from the Missouri River to the Red River Valley to Fargo and some of our larger communities.

We have gone through the process at length. But we still need to complete the record of decision, the ROD, a record of decision. Will you look into this? Will you help me work through the bureaucracy to complete that?

Again, it's been congressionally authorized. But we still have to go through all of the bureaucratic steps to get the record of decision. I believe the BOR is supportive. Will you work with me to look into it and see if we can get the record of decision signed which, of course, would come to you?

Ms. JEWELL. Senator, I'd be happy to work with you on that.

Senator HOEVEN. Thank you.

Again, I appreciate your being here and thank you for coming by my office as well.

Ms. JEWELL. Thank you.

The CHAIRMAN. Ms. Jewell, while the Senator from North Dakota is here, I just would like to take note of the fact that in our first hearing on gas that I've referenced a couple of times in the course of the morning, I was particularly struck by the questions that the Senator from North Dakota gave to Frances Beinecke, who, as you know, is a renowned environmentalist at the Natural Resources Defense Council.

If you look at that dialog as you prepare for the discussions between people in the energy field and the environment, particularly on the question of fracking, I really came away from that discussion between the Senator from North Dakota and Frances Beinecke with a sense that while this is certainly not going to be a debate for the faint-hearted, I think this is something we can get done. I thank the Senator from North Dakota for his comments.

Ms. Jewell, you've had a long morning. As you can tell there's enormous interest in these issues. If you'll indulge us, the Senators who have remained would like to spend a few more minutes. I think with your leave maybe we'll try to confine it to one more question from the Senators who remain.

Is that alright with you?

Ms. JEWELL. Absolutely.

The CHAIRMAN. Alright.

I wanted to ask you, if I might, and I'll give you a question about the Klamath in writing.

Ms. JEWELL. OK.

The CHAIRMAN. As you know the Department has been very involved in the Klamath, the Department trying to bring the parties together.

But I want to ask you about forestry which, as you know, is enormously important to our State. On the East side of Oregon I have been able to put together an agreement between the timber industry and the environmental community for the 6 national forests on the east side. Even before the bill has been enacted into law the industry has told me that the cut has gone up, litigation has gone down, and the environmental community feels very comfortable with the kind of collaboration going on.

That, of course, is a Forest Service effort on the east side and that is outside your province. The reason I bring it up is the reason it's working on the east side is we've been able to actually build trust between the timber industry and the environmental community. As you know, that's the coin of the realm in this whole discussion about natural resources.

The past proposals that have been brought up on the west side of Oregon which is involving, of course, the O and C lands, have not been able to build that same kind of trust between the timber industry and environmental folks. It's been impossible to really move forward. So I'm making that a special priority.

Those lands, those O and C lands, are in your province. That is something that's in the jurisdiction of the Department of the Interior. We're really looking at what amounts to a dual track on the west side.

One is we've got to get the timber cut up. We think that can be done consistent with the environmental laws. Certainly for the next, at least, year we're going to need as we look at long-term approaches some bridge funding, particularly for the Secure Rural Schools Law because without it our schools and roads and police will be flattened.

So I'm just going to ask you one question on the issue of getting the timber cut up on the west side, in particular. The timber industry tells me that there is a problem with the Bureau of Land Management and the way protest sales are being addressed on the west side. In effect, you've got timber sales being protested. The BLM fails to address them. There's just kind of a focus on planning some additional new sales.

So then a lot of this process just goes to an appeals process, your Interior Board of Land Appeals. The industry says the projects, in effect, just go to die. There's no decision made.

What happens is we're just sort of in a no man's land. We've got the worst of all worlds. We aren't getting the timber cut up. We're not getting the saw logs to the mills. It's just, kind of, this lawyer's full employment program in the appeals process.

It just seems to me that we ought to be able to do both. We ought to be able to address the protests and move forward with new sales. I would just like to have your assurance. I just don't think it reflects well on the agency either, to not be able to deal with protests as well as new sales.

I would just like your assurance that this will be something that you will get into early on because without it, we're not going to be able to get the cut up which is essential with all the economic hurt

in these communities. I think it's going to make people feel less confident even with respect to the short-term need, which is to pass the Secure Rural Schools extension for at least a period of time. Can you assure me that you'll make this a priority early on?

Ms. JEWELL. Yes, Senator. I appreciate, being from the Northwest, the importance of timber on our rural communities, our school funding and also in keeping the mills operating with a reliable source of timber. If there's a great example on the eastern side of the State that we can learn from, I look forward to working with my BLM colleagues and you to do a good job of meeting the needs that you expressed.

The CHAIRMAN. Just understand and I appreciate that. They are different. The east side, of course, the Forest Service and your lands, of course, are checkerboards. So they are different.

But what's been built on the east side is trust.

Ms. JEWELL. Trust.

The CHAIRMAN. Between the timber industry and the environmental community. That's why we're already seeing good results. We don't have that trust on the west side.

So I appreciate your willingness to follow up on that early on.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

Ms. Jewell, the Interior Department is finishing up in one area and in process on another. These involve two land planning efforts in Alaska. They just finished the National Petroleum Reserve Alaska, the NPRA plan. They are close to finishing a revised plan within ANWR, the Arctic National Wildlife Refuge.

The NPRA plan calls for placing 52 percent of the Nation's largest petroleum reserve into protected status. While the ANWR plan which is, again, currently in draft, calls for major wilderness additions to the 8 million acres of the 17 million acre refuge that's already classified as wilderness.

There's a 1980 Alaskan National Interest Lands Conservation Act contained within ANILCA is a provision that effectively precludes the Administration from declaring major, new conservation areas in Alaska. We refer to this as the "no more" clause. But both of these plans that are in process now effectively create new wilderness without the requisite congressional approval for the declarations.

So my ask to you is that you would respect the 1980 Alaska Lands Act as it relates to the "no more" clause when it says that Alaska has basically given. We have more wilderness in the State of Alaska than in all of the other States combined. So my ask to you is to respect the 1980 law.

Now in keeping with the Chairman's request that we limit this last round to one question. I would ask in view of your comments to Senator Scott when he talked about offshore exploration opportunities off of South Carolina, your response to Senator Landrieu's comments about activities in the offshore in the Gulf of Mexico. The question to you is can you provide the committee your views on offshore development in the Arctic OCS?

Ms. JEWELL. Thank you, Senator.

In my work for Mobil oil there was, maybe not offshore, but certainly Arctic development. I appreciated at that time how much it

was on the leading edge of technology. I know that the last thing you would want as a Senator from the State of Alaska is any kind of a situation like we experienced in the Gulf with the deep water horizon rig. In fact we talked about this a bit in your office.

So I think what's most important as we explore these resources and I think it's appropriate to explore them, is to do so in a safe and responsible way and to work with the industry partners, as I believe is the case on the lease sales that have gone forward, so those industry partners can bring the best science available and explore these resources in a way that, you, representing Alaska and myself, if confirmed for this position, can be assured that we're not putting the ecological system at risk. Yet we are supporting the desire that we discussed to continue to keep the Alaska pipeline full.

Senator MURKOWSKI. I appreciate that commitment. I think we recognize that it is a new area up there although not unexplored back in the 1980s. There were many forays out in the Arctic.

But I would hope that you would continue that commitment to work with Alaska, work with those within the industry that are trying to make the efforts to really explore and produce to America's gain and certainly to those folks that I live and work with.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Murkowski.

Senator Heinrich.

Senator HEINRICH. Thank you, Mr. Chairman.

Ms. Jewell, I have one last question. But I want to take a moment and just thank you for your articulation of what multiple use means because I think it showed a real understanding of our public lands that is all too rare. It doesn't mean every use on every acre.

I understand that if there are lands, on our public lands, where the highest and best use may be solar energy production. It may be oil and gas development. It may be mining. I'm not going to get to use those places to effectively hike or camp with my family for probably the rest of my life.

But there are also places where the highest and best use is myself or someone else getting to chase a Bull Elk around during muzzle loader season and that you can't do everything on every single acre. I think that understanding really gives me a great deal of confidence in your ability to balance these competing interests.

I want to ask you one last question. You're going to have no shortage of controversial issues to weigh into over the next few years, endangered species management, energy production, transmission. All issues that become even more controversial when policy is driven by politics. That's why I was very pleased to hear the characterization earlier by one of the Senators, I believe from Washington, who said something to the effect that science would be your guiding star.

As Secretary will you commit to making land and wildlife management decisions based on the best available science?

Ms. JEWELL. Yes, sir, I will.

Senator HEINRICH. That's all I have, Mr. Chair.

The CHAIRMAN. I thank my colleague.

Senator from Wyoming.

Senator BARRASSO. Thank you, Mr. Chairman.

I've quite a few questions, but in respect for you and the witness I'll submit the great majority of those for written answers.

I do have a couple questions. I'd like to discuss your business experience. Because I agree completely in the opening statement you said that there is a need for business certainty. Businesses need to have certainty and stability when making long term decisions.

As CEO of REI in 2009 you appeared with President Obama at the White House. The President touted REI as a model company that provides health care benefits to its part time employees. Yet 2 years later after the President's health care law was passed REI asked for and secured a special waiver exempting your employees from the annual benefit limits in the President's health care law.

The spokesman for REI, Bethany Hawley at the time, said that the waivers allowed us she said, to continue to cover these employees. You know, the American people remember President Obama repeatedly promising that if you like your health care plan you'll be able to keep your health care plan. But it just seems based on Bethany Hawley's comments that if REI, under your leadership and your direction as CEO, had not requested the special waiver under the health care law that those 1,100 REI low wage, seasonal, part time workers, for which you were congratulated at the White House, many of those employees would have lost the health insurance that they have today.

So I look at this and say that, you know, REI clearly isn't the only entity that received a waiver from the health care law. The Administration granted over 1,200 waivers to companies and to unions with the right connections so that they could avoid the negative impacts of the law. I would assume you made that decision as a smart business decision because you knew the impacts were going to be dramatic of the health care law.

Well, there are other laws that are supported by this Administration that negatively impact American businesses. There are folks that are looking for waivers for those just like REI appropriated made the decision that said we can't live under this health care law. One of those laws is the National Environmental Policy Act or NEPA which negatively impacts businesses trying to access Federal, public lands.

But rather than expanding the waivers under NEPA for what is known as categorical exclusions, the Administration has actually restricted the use of NEPA waivers, particularly for onshore oil and gas production. So, you know, I look at this, so you know firsthand how waivers can help businesses avoid the negative impacts of bad policy. What you would do in terms of committing to help us get waivers for the NEPA categorical exclusions because and clearly I think many people think REI made a smart business decision by asking for waivers. This is just as important for jobs here that the NEPA exclusion be given as well.

I'd be interested in your comments on that.

Ms. JEWELL. Thank you, Senator. As a doctor yourself, an orthopedic surgeon, you recognize the complexity of our health care system.

I want to first address the facts around REI's situation with the Affordable Care Act.

No. 1, our full time employee plan is fully compliant with the Affordable Care Act and always has been. We have never asked for a waiver nor been granted a waiver on that program. In fact it exceeds the Federal standards because we cover all employees under that full time plan if they work an average of 20 hours a week or more over a rolling 6-month period. The Federal standard is 30 hours.

But we have a lot of employees, you referenced 1,100. Those are the numbers that chose to sign up for a part time plan because these are people that had no possibility of coverage under any other plan that was affordable to them. They are part time. They're working perhaps multiple jobs. That plan has a \$10,000 annual cap.

We are coming up on 2014. We will be working to replace that plan with the exchange program so that these part time employees have an opportunity to have health care. So as they come into hospitals and work with your colleagues from the medical community you'll get paid for what's done. That's what REI did with its plan.

So the waiver was strictly for the part time plan.

Senator BARRASSO. For the plan—the waiver was for the people that you praised at the White House for covering and weren't able to be covering under the health care law which is why you applied the waiver. But the question had to do with NEPA and the waiver there.

Ms. JEWELL. Yes, well, the waiver was because we had a \$10,000 annual cap on that part time plan which was the only way we could make it affordable. It was completely optional for us to cover those part time employees.

Senator BARRASSO. But you received praise from the White House for doing something. The White House said one thing, praised you for it and then passed policy that made it very difficult for you to continue to do what you had been doing and receive praise for it.

The question though is the categorical exclusion under NEPA.

Ms. JEWELL. Senator, I know NEPA is a law passed by this body. I know that it will be my obligation to use NEPA in the work that I do within the Department of the Interior. I'm not familiar with the details around exclusions or an exclusionary process or where that or how that might impact businesses. But I would submit that the facts that I provided around the health care are what I'm familiar with.

Senator BARRASSO. You're familiar with the—need for certainty which you mentioned in your opening statement and people looking for certainty in so many areas. But there is so much uncertainty that's it's very difficult to make decisions. I think I'm just asking that you take a look at these as opportunities to allow people to continue keeping people working in this country and not forcing people out of work.

Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Lee.

Senator LEE. Thank you, Mr. Chairman.

I too had a number of questions which in deference to you and to our witness I'll submit most of those in writing in deference to your request that we limit to one question.

There's a consistent thread in many of the concerns that have been expressed today and between the concerns just expressed by Senator Barrasso and many of those that I have which relate to the fact that when the Federal Government creates a lot of laws. A lot of laws that create a lot of burdens, burdens that sometimes overlap and conflict with one another.

People don't have certainty and to some extent they are dependent upon those who administer executive branch agencies for leave to depart from those standards, who are for acquiesce to do what they think needs to be done. Sometimes that can create difficulties with individuals trying to operate within that framework.

In part for that reason Congress, when it passed FLPMA, built into FLPMA section 1024 which says that it is the policy of the United States that "Congress exercise its Constitutional authority to withdraw or otherwise designate or dedicate Federal lands for specified purposes and that Congress delineate the extent to which the executive may withdraw lands without legislative action."

We've recently seen some policy initiatives brought forward by the Department of the Interior including wild lands and national blueways, for example, that appear to address some issues that appear more properly within Congress's scope of authority. Congress's scope of authority to withdraw lands from multiple use, for example, as evidenced by laws like FLPMA, by the Wilderness Act by the Wild and Scenic Rivers Act.

So I'm just hoping that you can give me some assurance that if confirmed you will recognize Congress's proper role in designating and withdrawing Federal land from multiple use.

Ms. JEWELL. Senator, I appreciate Congress's role. I also will commit to you that with anything that we do around these kinds of issues that we will get multiple stakeholders to the table to discuss them, to make sure we understand the issues. You have my commitment to do that.

Senator LEE. I appreciated the commitment you made in that regard with regard to the National Monument designations. That's something important to us. I assume the same commitment would stand there.

Ms. JEWELL. Yes, sir.

Senator LEE. Thank you.

The CHAIRMAN. I certainly don't want to cut my friend from Utah off. Is there another question that you feel is particularly important to you and your constituents?

Senator LEE. The monument designation question is important simply because of the fact that, as you were discussing that with Senator Heinrich, it brought to mind I appreciated your commitment to work with local stakeholders. Whenever they're dealing with something like a monument designation we had about two million acres designated as a monument a few years ago in my State. It was not only not done with extensive consultation and input and buy in from local officials and residents.

It was done completely by surprise. It was brought upon us completely by stealth. It was announced from a neighboring State.

We would have liked to have had input. So I would really appreciate it if you would commit to me that you would advise the President that it's best to work with locals affected by broad decisions like that in advance of making such a decision.

Ms. JEWELL. Senator, it is certainly consistent with what I believe in and what the White House believes in as well.

Senator LEE. Thank you very much.

Ms. JEWELL. Thank you.

The CHAIRMAN. Thank my colleague.

A number of organizations have sent letters in support of Ms. Jewell's nomination including a letter sent to Senator Murkowski, myself, a letter signed by 15 environmental groups, a letter from the Outdoor Alliance on behalf of a number of outdoor recreation associations, a number of recreation organizations that represent members in Washington State.

Without objection they'll be included in the hearing record.

Ms. Jewell, you have had a long morning. As you can tell these topics certainly generate spirited discussion in energy and natural resources country.

So, I just want you to know that you certainly proved to me this morning that a nominee who is a petroleum engineer and a corporate CEO and a conservationist has background that's pretty handy in this particular realm. So I thank you. We'll look forward to continuing these discussions.

We'll keep the record open for additional questions that colleagues may have.

With that the Energy and Natural Resources Committee is adjourned.

[Whereupon, at 12:50 p.m., the hearing was adjourned.]



## APPENDIXES

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### APPENDIX I

#### Responses to Additional Questions

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##### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR WYDEN

###### KLAMATH

*Question 1.* I have a strong interest in seeing the difficult water resource issues in the Klamath Basin resolved, and I know the Department of the Interior has been working on these issues.

Will you, and the Department under your leadership, support us in our efforts in the Klamath Basin?

Answer. It is my understanding that the Klamath issue is long-standing and very complex, involving two states, several Indian tribes, and numerous interested parties. If confirmed, I look forward to working with Congress and other interested parties in the Klamath Basin to ensure that any future determination concerning the Klamath Basin is made in an open and transparent manner and is informed by the best available science.

*Question 2.* Ms. Jewel, with respect to Indian gaming, in my state of Oregon the recognized tribes entered into a compact with the state decades ago, pursuant to the Indian Gaming Regulatory Act. This compact allowed each tribe to locate one gaming facility on their ancestral lands. Since many of these facilities are in more rural areas, they have brought jobs to places in Oregon where there otherwise might not be opportunities for economic development. Approving or allowing gaming outside of Oregon tribes' ancestral lands would upset the delicate balance struck decades ago between the tribes and the state, and could trigger a domino effect of tribes uprooting their gaming facilities from their traditional homelands in favor of larger urban areas—thus running afoul of the existing compact and taking jobs away from rural Oregonians—Indian and non-Indian alike. I believe this would be very detrimental to my state.

How would you look upon applications for off-reservation gaming, and do you see any reason why Interior should allow tribes to move far from their ancestral lands to put lands into trust for the sole purpose of creating new, more lucrative gaming facilities?

Answer. It is my understanding that it is rare for the Department to take off-reservation land into trust for the purpose of Indian gaming. If confirmed, I would adhere to the Indian Gaming Regulatory Act's requirements and the Department's regulations. I will also take seriously the responsibility to apply these standards and to conduct a rigorous review of all tribal applications.

*Question 3.* The Bureau of Land Management's Wild Horse and Burro program has doubled, from roughly \$40 million in FY2009 to nearly \$78 million in the President's FY2013 budget request. Additionally in FY2012, nearly 69 percent of the program budget was allocated for removal, long-and short-term holding, while only 4 percent was allocated for contraceptive measures. Given this, what are you plans for reining in the runaway costs?

Answer. While I am not familiar with the specifics of the BLM's Wild Horse and Burro budget, I am aware that the program's budget has increased to address management requirements. I am also aware that the BLM is continuing research to find effective on-range population control techniques to achieve appropriate herd levels. If confirmed, I look forward to working with you to pursue effective and ecologically sustainable policies for managing America's wild horses and burros.

## RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR MURKOWSKI

*Question 4.* Currently in the National Petroleum Reserve-Alaska (NPRA) we have one of the most pressing ongoing environmental emergencies of which the federal government is solely responsible, yet refuses to put forth the necessary resources to clean up the leaking petroleum wells. The government is causing harm to the environment, wildlife, and even villagers living in the area. This Committee held a hearing on this in the summer of 2012, and we are still awaiting the BLM's promised documentation on an action plan to clean up the wells. This is the absolute height of hypocrisy, if the federal government was a private company the State of Alaska would have already leveled over \$40 billion in fines, yet the federal government pays nothing and does nothing.

If the state of Alaska says they could and would get these wells cleaned up in a matter of years, not decades, why not officially open that door? Why not convey these lands to the state and let Alaska take care of Alaska? Is that a discussion the BLM is open to having?

Answer. I am advised that the BLM has expended significant resources to cleanup legacy wells and is working on a strategic plan to address the remaining legacy wells. If confirmed, I will ensure that the Department continues to communicate with the State of Alaska, Tribes, Alaska Natives, and other interested parties to address legacy wells. As I noted in my hearing, I stand ready to work with you, with the appropriators, and with other members of Congress on this important issue.

*Question 5.* Recently, the National Park Service has closed preserves in Alaska to hunting (Wolf hunting in Yukon-Charley and Lake Clark, Bear Denning in Denali and Gates of the Arctic). It has cited "Park Values" in those closures. Can you please provide a definition of the "Park Values"?

Answer. I appreciate the importance of hunting and subsistence activities in Alaska. If confirmed, I will work with you to ensure that the NPS manages park resources and values in a way that is consistent with legal requirements and avoids unnecessary conflict over the management of resident wildlife resources.

With respect to Yukon-Charley Lake Clark, and Gates of the Arctic, I am told that the NPS has not closed preserves to hunting for wolves or for bears. I also understand that federal law provides for the conservation of park resources and values, including wildlife, and prohibits their impairment.

*Question 6.* Do you support hunting within National Preserve Units?

Answer. Yes, I support appropriate hunting in national preserve units where Congress has provided for it.

*Question 7.* What role do you believe hunting, fishing and off road vehicles have in National Park Units? In all public lands?

Answer. As I stated at my hearing, I believe that the Department of the Interior has an important role to play to ensure that our federal lands are managed with an eye toward appropriate and balanced access to these resources ensuring consistency with the land's designation, whether a National Park Unit, BLM land, or other.

*Question 8.* Will you push for increased access to all our public lands for all traditional recreational uses?

Answer. As I mentioned at the Committee's hearing on my nomination, I believe we must take a balanced approach to all of the multiple uses of our public lands. I believe incorporating traditional recreational uses of the public lands is an important part of such an approach.

*Question 9.* Do you believe that particular uses are more suited for public lands than others? What are they and why?

Answer. I believe that it is important to look at things on a case-by-case basis to understand the particular uses, and the issues surrounding them, and to respect them for their value to the region and our nation.

*Question 10.* Last year, the Land and Water Conservation Fund budget request is for a funding level of \$450 million, which represents \$105 million increase above the current level for DOI agencies and the Forest Service. Most Americans wonder why the Federal Government is buying more land when it cannot afford what it currently owns. This ongoing practice is not logical.

Can you please explain to me why, with such an enormous maintenance backlog, DOI would focus such a large amount of money on acquiring more federal land?

Shouldn't these funds be used to pay down our maintenance backlog?

What is your belief regarding federal land acquisition at this time of staggering national debt and backlogs?

Answer. As a businessperson, I understand the challenges associated with balancing competing budget priorities for limited resources. I also understand that the funding proposed for federal land acquisition is part of a strategy that reflects the President's agenda to protect America's great outdoors and demonstrates a sustained commitment to a 21st Century conservation agenda. There is a balance between addressing the most urgent needs for recreation; species and habitat conservation; and the preservation of landscapes and historic and cultural resources, and addressing the deferred maintenance backlog. In some cases, purchases of inholdings can reduce the costs of management or make management more efficient and effective. Should I be confirmed as Secretary, I look forward to working with you to address this important issue.

*Question 11.* The Interior Department is currently involved in two land planning efforts in northern Alaska, having just finished a land plan for the National Petroleum Reserve Alaska (NPRA), and is apparently close to finishing a revised plan for the Arctic National Wildlife Refuge. The NPRA plan calls for placing 52% of the nation's largest petroleum reserve into protected status, while the ANWR plan, currently in draft, calls for major wilderness additions to the 8 million acres of the 17 million-acre refuge already classified as wilderness. My question is that when Congress passed the Alaska National Interest Lands Conservation Act in 1980, Alaskans thought several provisions, notably Section 1326 of the Act, precluded the Administration from declaring major new conservation areas in Alaska. Both plans effectively create new wilderness in my state without seeking Congressional approval for the declarations.

What is your view of what the 1980 Alaska lands act requires of the Department and in general, what is your view toward land use and land protection in Alaska?

Answer. As I mentioned in the confirmation hearing, when I worked for Mobil Oil I appreciated that the Arctic development taking place at that time was on the leading edge of technology. I think it is appropriate to explore the resources in the NPR-A in a safe and responsible way, working with industry partners and using the best science available. We must explore these resources in a way that we can assure that we are not putting the ecological system at risk, while producing domestic energy and the jobs it supports. With respect to planning processes in the NPR-A, the Arctic Refuge, or other Departmental actions, if confirmed, I will ensure that the Department complies with all applicable laws and regulations, including the Alaska National Interest Lands Conservation Act.

*Question 12.* Globally, the U.S. is tied for dead last in the amount of time it takes to get yes-or-no answers to those seeking permits for domestic minerals production. As you know, project delays can leave capital stranded and make the U.S. a less attractive place to invest.

Understanding the economic, security, trade, and employment benefits of a responsible domestic mining sector, what will you do to lift the U.S. up from last in the world on permitting, and do you believe the timeliness of permitting should be included in evaluations of agency employees doing that work?

Answer. As I said at the confirmation hearing, coming from the private sector I understand that businesses need certainty. I also agree that it is important that development of our nation's energy resources is conducted in a safe and environmentally responsible manner. I appreciate, from speaking with some officials at the Bureau of Land Management, that they are committed to permitting processes that are predictable, reasonable, and reliable for industry. If confirmed, I look forward to working with the BLM to optimize efficiency of the many permitting processes it oversees.

*Question 13.* The shale gas boom has been made possible by the combined use of horizontal drilling and hydraulic fracturing. Importantly, hydraulic fracturing is not new—it has been used successfully for many years (and without incident in Alaska since the 1960s). The boom is a game-changer for the U.S. providing a low cost source of energy for use across the economy. Given this, we need to be thoughtful about federal intervention in the development of natural gas.

What are your views on state versus federal regulation of hydraulic fracturing?

And if confirmed what would you do to ensure proposals such as BLM's to regulate fracking allows the continued development of natural gas resources in the U.S?

Answer. I agree with the President's statement that natural gas has and will continue to play a crucial role in America's energy economy and independence. Hydraul-

lic fracturing technologies have helped open vast new sources of natural gas here in the continental United States. The natural gas boom brought on by advances in fracking technology has powered tremendous economic growth in some parts of the country resulting in job growth and falling energy costs.

As someone who started my career as an engineer for Mobil in the Oklahoma oil fields, I understand the importance of the public having full confidence that the right safety and environmental protections are in place. I believe that working alongside states, tribes, academia, and industry is the right approach to come up with clear and reasonable rules that ensure that the BLM, as manager of the public lands, can ensure that these resources are developed in a safe and responsible way.

*Question 14.* In 2010, Interior Secretary Salazar, issued Secretarial Order 3310 giving the BLM immediate authority to inventory “designate appropriate areas with wilderness characteristics under its jurisdiction as ‘Wild Lands’ and to manage them to protect their wilderness values.” Congress rightly objected to this policy because it would (1) set aside large swaths of land that are currently managed for multiple use in accordance with locally developed resource management plans and (2) usurps Congress’s sole authority to designate wilderness. Congress then took legislative action to prevent the BLM from implementing the Order. In response, Secretary Salazar issued a memorandum stating that he would abandon the policy and focus his attention on building support around locally driven initiatives to work with Congress on wilderness designations.

It is my understanding that such groups as the Conservation Alliance (founded by REI, Patagonia, The North Face, and Kelty) and the Outdoor Industry Association (REI is a member and Jewel has been “lobbying” for its advocacy campaigns) were a driving force behind the “Wild lands” policy and fought hard to see it implemented.

Please explain your role (the REI’s and your personal role) in the development of and advocacy campaign for the Wild Lands policy.

Can you give me your commitment that, if confirmed, you will not designate any “Wild Lands” under the Secretarial Order?

It would go a long way in building trust and demonstrating you are committed to working with our public land dominated states and communities on multiple use management if as one of your first actions as Secretary you actually withdraw Secretarial Order 3310. Will you consider taking that action, if confirmed?

Will you attempt as Secretary to effectively impose the same rules piecemeal when local land plans come up for development for the same areas, especially if Congress continues with appropriation language to prevent implementation of the wild land rules overall?

Answer. I did not play any personal role in the development of and advocacy campaign for the Wild Lands policy, which was announced by the Department in December 2010. The OIA requested that REI allow the Department of the Interior to hold a press event outside the REI store in Denver, CO to announce the policy. REI officials did not participate in this event. In reviewing this question with REI officials, it is my understanding that at the request of the Outdoor Industry Association, REI, through its Executive Vice President Brian Unmacht who serves on the OIA board, agreed to join other leading outdoor companies in signing a letter in February 2011 in support of the Wild Lands Policy.

I understand that Secretary Salazar has confirmed that BLM will not designate any lands as wild lands under Secretarial Order 3310, and that the provisions in that order regarding the designation of Wild Lands are not operative and cannot be implemented because Congress has specifically defunded them. I intend to uphold Congress’s direction with respect to this Secretarial Order.

*Question 15.* The development of oil and gas resources in a less than 1% area of ANWR would be a significant contributor to U.S. economic and energy security. For oil alone, resource estimates range up to 16 billion barrels, which is just about the same amount that has flowed through TAPS since 1977. And these estimates are based on old data. ANILCA specifically set aside the 10-0-2 area of the coastal plan for development, yet the Fish & Wildlife Service’s proposed management plan for ANWR did not include a development alternative—only wilderness alternatives.

What are your views on ANWR development and if confirmed, would you ensure FWS considers and oil and gas alternative?

Answer. I understand your concerns and I recognize the important contribution federal resources in Alaska make in meeting our domestic energy production goals. The Administration has stated that decisions regarding safe and responsible energy development on the public lands and offshore coastal areas should be balanced with

the Department's mission to ensure that America's spectacular landscapes, fragile ecosystems and habitat, and wildlife and cultural resources are available to future generations. The Arctic National Wildlife Refuge itself is a unique example of an intact, naturally functioning community of arctic and subarctic ecosystems. I am advised the Administration believes that development of the coastal plain is not appropriate and opposes the effort to do so, and if confirmed I will implement that position.

*Question 16.* Total U.S. oil production has increased by about 1.1 million barrels per day over FY2007 production levels. 2012 saw record oil production in the U.S., yet also a decline in oil production on federal lands.

What will you do to encourage the development of oil resources from federal lands, increasing domestic production and reducing our dependence on foreign sources?

Answer. As I testified before the Committee, I am committed to the President's "all-of-the-above" energy strategy to expand domestic energy production and reduce dependence on foreign oil. If confirmed, I will seek to increase safe and responsible development of both conventional and non-conventional domestic energy resources, including through exploration of new frontiers, both onshore and offshore, and through the use of new technology.

*Question 17.* The U.S. Geological Survey has steadily decreased resources devoted to conducting geological surveys. These activities accounted for just 9% of their budget in FY 2012. The rest was spent on facilities, ecosystem research, climate change, and other activities. Yet the USGS managed to map 96% of Afghanistan with DOD funding. But only 5% of the U.S. has been mapped using the same hyperspectral imaging technologies.

When the Afghan data was released, a DOD official stated that "The mineral resources in Afghanistan have the potential to completely transform the nation's economy," and that "This important new work by the USGS will be a powerful tool for those attempting to accurately evaluate potential investments in Afghanistan." I agree that surveying is important, and that it facilitates investment, but American mineral resources provide an equally significant opportunity to transform our own economy.

Do you agree with these same points and, if so, what will you do to restore the U.S. Geological Survey's focus on conducting geological surveys?

Answer. Understanding the nation's mineral endowment is essential to national security and a robust economy and is a core mission of the USGS. I support the use of geological surveying as part of the Department's important role in providing the best possible science for the nation's decision makers. If confirmed, I will carefully examine this issue.

*Question 18.* Congress is about to reconsider a bill to permit a natural gas pipeline to run for roughly 7 miles in the right-of-way of the Parks Highway through Denali National Park and Preserve. Running the gas line along the park may well allow the park to use natural gas rather than diesel for power in park facilities and should lessen environmental impacts on wildlife. The previous secretary supported the bill.

Will you also support allowing a gas line through the park to supply gas to Southcentral Alaska?

Answer. Although I have not reviewed the legislation that you reference, I understand that the Administration did not object to the prior bill which allowed for flexibility for supporters of the proposed natural gas pipeline while ensuring compliance with appropriate environmental laws. If confirmed, I look forward to working with you, the Congress, and other stakeholders on this issue.

*Question 19.* Southcentral Alaska needs natural gas for power generation, since the existing Cook Inlet gas field is in decline and threatening not to produce enough power to keep electricity flowing to the most populated part of Alaska as soon as 2015. The state is currently offering incentives to try to encourage exploration for new gas in the Cook Inlet Basin. Right now, exploration is occurring on inholdings in the Kenai National Wildlife Refuge, but there is a potential dispute over 3-dimensional seismic testing needed to identify the pools of oil and gas under the inholdings in the refuge.

Will you commit to work to have the US Fish and Wildlife Service allow 3-D seismic testing and then production of any oil and gas found under all of the inholding lands inside the refuge, even if seismic testing will require some activity on refuge lands?

Answer. I am committed to the President's "all-of-the-above" energy strategy. If confirmed, I will seek to increase our nation's production of both conventional and renewable sources of energy on our public lands, implementing innovative technologies and exploring new energy frontiers, both onshore and offshore, to encourage both safe and responsible development of our natural resources.

Regarding the situation you describe involving the Kenai National Wildlife Refuge and private inholdings, I respect and appreciate the rights of private property owners. If confirmed I commit to learning more about this issue and would be happy to meet with you to discuss any specific proposals.

*Question 20.* Right now the holders of Alaska oil and gas leases on the North Slope of Alaska are working to find commercial buyers of Alaska's gas overseas in order to win contracts to permit financing of an Alaska LNG gas project. If buyers are found, it will require 15 federal agencies, many inside the Interior Department, to work cooperative to provide permitting to allow speedy construction of a gasline from the North Slope to a tidewater location somewhere in Alaska.

Will you commit to make sure that all Interior agencies will work to speed environmental permitting of an Alaska natural gas pipeline project since delays caused by slowness in permit issuance will add billions of dollars of cost to a project already estimated to cost between \$50 and \$65 billion dollars—the largest privately financed energy project currently on the drawing boards worldwide?

Answer. I understand that the Interagency Working Group on Alaska, chaired by the Department's Deputy Secretary David Hayes, has done important work to coordinate federal agencies' work on major Alaska energy decisions. While I am not familiar with this specific project, if confirmed as Secretary, I will work to ensure that the Department's permitting processes are predictable, reasonable, and reliable.

*Question 21.* Fire suppression costs are soaring both in actual dollar amounts and as a portion of the land management agencies total budgets. The 10-year moving average budget formula for suppression expenditures has translated into shortfalls in available suppression funds nearly every year negatively impacting other resource programs in the U.S. Forest Service and the Bureau of Land Management.

Will you commit to make it a very high priority within the Department of the Interior to find ways to roll back the cost of firefighting done by federal wildland fire fighters?

Will you commit to make efforts to increase the budget requests and advocate using other, more accurate, budgeting methods besides the 10-year moving average to make those budget requests so that we can avoid having to rob the other accounts to pay for firefighting?

Answer. I understand that wildfires have been increasing in number and intensity across the country, and responding to them continues to be an important challenge. As stewards of taxpayer dollars I think it is always important that the Department think about maximizing efficiencies, particularly in a difficult economic climate. I am not aware at this time of whether there are formulaic requirements the agency must follow in budget development and for fire suppression. However, my business background has led me to appreciate that there are opportunities to reduce costs by pursuing operational efficiency. If confirmed, I will work to ensure that the Department pursues efficiency wherever possible in order to maximize the return on the investment of federal resources.

*Question 22.* Under current law, 37.5% of the revenues from certain OCS leases in the Gulf of Mexico are shared with Louisiana, Alabama, Texas, and Mississippi. The Committee is working on legislation to expand revenue sharing beyond the Gulf to any coastal state with oil and gas development off its shores, and to extend onshore and offshore revenue sharing programs to revenues from the development of alternative and renewable energy sources.

What are your views on these concepts? Do you believe there should be consistency on revenue sharing for all coastal states?

Answer. I believe that the Department, as steward of our public lands and waters and through rigorous dialogue with stakeholders, must strike the right balance of meeting the interests of local communities and the public owners of these resources as we advance the President's "all of the above" energy strategy. I have heard from a number of Senators about this issue. Should I be confirmed, I look forward to better understanding the intricacies of the issues involved.

*Question 23.* The Department has increasingly been regulating offshore exploration and development through the use of "Notices to Lessees" rather than through formal rulemaking procedures. This prevents the public and regulated industry from providing valuable input on feasibility and environmental impacts.

In what circumstances do you think a NTL is appropriate and vice versa?

Would you support a return to regulation by rulemaking?

Answer. As a businessperson, I understand the importance of ensuring that industry has regulatory certainty and clarity and that the regulatory process is open and transparent. Notices To Lessees are used to provide industry operators and contractors with guidance that explains procedures and can further clarify existing regulations. My understanding is that the Department does not intend to use Notices to Lessees to substitute for the use of formal rulemaking processes when it is more appropriate to proceed via rulemakings. In all cases, I will do my best to ensure that all processes used in the regulatory arena proceed in a transparent and interactive manner, including meaningful engagement with stakeholders such as industry, non-governmental organizations, and other governmental agencies.

*Question 24.* The NLCS is a collage of more than 27 million acres of wilderness, conservation areas, rivers and monuments managed and protected by BLM. It was established administratively by President Clinton nearly a decade ago and put into law in the 2009 public lands omnibus bill.

Secretary Salazar, via a secretarial order, granted the office that oversees the NLCS the level of “director” within the Bureau of Land Management. BLM manages the system for multiple uses, but the Secretary Order gives more direction to its management. The agency can allow grazing, energy development and tourism, but the Order specifies that biodiversity and “ecological connectivity” are supposed to be tantamount.

There are concerns that management of the NLCS, as specified in the Secretarial Order 3308, conflicts with the historical multiple use management mission of the BLM and continues what has been characterized as a “too-cozy relationship with environmental groups” (Inspector General Report 2010).

How do you envision managing the NLCS, if confirmed as Interior Secretary?

What role will environmental groups play in the BLM management of the NLCS?

Answer. I am aware that the NLCS is managed for multiple uses and that these uses must be compatible with the legislation and Presidential proclamation that created the unit and identified the objects and values that the unit was designated to protect. If confirmed as Secretary of the Interior, I will ensure that the management of NLCS units remains consistent with Congress’ and the President’s intent.

I understand that BLM makes an effort to reach out to diverse groups, communities, and individuals in the planning and management of NLCS units, including hunting and fishing interests; grazing permittees; recreational interests; private land owners; conservation groups; and others. As I stated at the hearing, I believe that to understand the issues, appreciate their complexities, and find common ground, it is key to bring multiple stakeholders to the table to work together. If confirmed, I commit to furthering that approach at the Department of the Interior.

*Question 25.* The caribou herd on Unimak Island is nearing a critically low point—subsistence users have even been banned from harvesting caribou—but USFWS has refused to allow the Alaska Department of Fish and Game to proceed with managing the herd numbers.

Currently, is it legally possible for the State ADFG to conduct any predator management on Unimak Island?

Can you explain what will be done by the Department of the Interior to ensure that this herd is not wiped out?

Answer. I have been advised that the FWS takes great care in relying on the best available science to guide its decisions and actions. Given the important subsistence issues raised, and concerns raised by the state, if confirmed I commit to working with the state, and ensuring the Department continues monitoring the herd, and will pursue management actions based on the best available science.

*Question 26.* States like Colorado and South Dakota are experiencing a historically bad bark beetle epidemic that is killing hundreds of thousands of acres of forests in these states and in other western states. The Kenai Peninsula in Alaska from 1991 to 2004 was host to a similar epidemic that killed most of the trees in an area approximately 1.2 millions in size. Our federal land management agencies do not seem to be nimble enough to react and respond to these epidemics.

What should the Department of the Interior and the U.S. Forest Service do to respond more quickly and efficiently to the challenges that these outbreaks cause?

Are there steps that Congress should consider to help facilitate federal land management to limit the duration and size of these outbreaks?

Are there steps that Congress should take to reduce the risk of allowing these insect outbreaks from becoming epidemics i.e. harvesting to thin the forests or other management steps?

Answer. As someone who has enjoyed the outdoors all my life, I understand the importance of healthy forestlands and the extensive impacts that insect infestations,

like the mountain pine beetle outbreak, can have on a landscape. This is a significant challenge in the management of forests and woodlands for all of our land management agencies. I understand that many of the challenges facing the Department of the Interior are complex issues, and require cooperation with the Department of Agriculture, the states, tribes, other stakeholders, and Congress to come up with solutions. If confirmed, I will be committed to identifying synergies and building on cooperative efforts to address the challenges the Department faces in the bark beetle epidemic.

*Question 27.* Wilderness activists have pushed the Department, and the Fish and Wildlife Service, to treat Wildlife Refuges with Wilderness overlays as Wilderness first and Wildlife lands second.

Do you concur with that approach?

The 1964 Wilderness Act specifies that Wilderness purposes are “supplemental”. Does that authorize a reading of the law that allows the “supplemental” purposes to trump primary purposes for designated public land units?

Answer. I understand from the FWS that as it carries out actions to implement the purpose for which an individual refuge was established, relevant provisions of the National Wildlife Refuge System Administration Act, the overall mission of the Refuge System, and the agency’s mission in areas designated as wilderness, it does so in a way that preserves the area’s wilderness character. However, I also am advised that the Wilderness Act requires that wilderness areas support the public purposes of recreational, scenic, scientific, educational, conservation, and historical uses. If confirmed, I would be happy to discuss any specific issues regarding designated wilderness areas within a particular national wildlife refuge.

*Question 28.* Starting in 1973, Congress began designating National Preserves—units administered by the National Park Service but where sport hunting is allowed or mandated. Unfortunately, the National Parks Conservation Association (NPCA) has frequently fought continued hunting, and hunting related access, into these Preserve units despite repeated promises by Congress that traditional hunting and related activities would continue in these units.

As a NPCA Board member, did you support NPCA’s lengthy litigation campaign against hunters and related access in the Big Cypress Preserve in Florida?

Did you, and do you, support NPCA’s efforts to have NPS disregard State of Alaska hunting rules and regulations on Preserve units in Alaska?

Answer. As a board member of the NPCA, I did not participate in litigation decisions. This includes NPCA litigation related to the Big Cypress Preserve. I did not participate in any decisions related to State of Alaska hunting rules and regulations on Preserve units in Alaska. If confirmed, should matters in which the NPCA has been involved arise, I will consult with the Department’s ethics office on the extent to which I may participate in these issues.

*Question 29.* A critical element of statehood is the primary authority to regulate resident fish and wildlife and establish the means, methods, seasons, and bag limits for the taking of such resident fish and wildlife. This state authority also extends to federal lands unless and until expressly and specifically countermanded by Congress using its Property Clause authority. Alaska, like the other 49 states, acquired this same primacy upon entering the Union and Congress later provided that federal land designations and administration were not to diminish this State authority.

Do you concur that states, including Alaska, possess primary authority to regulate hunting and fishing on federal lands?

Do you concur that it requires a specific federal statutory enactment such as the Wild Horse and Burro Act, the Migratory Bird Treaty Act, or the Endangered Species Act, for federal land agencies to overcome this state primacy?

Answer. I understand that Congress has enacted laws that prescribe different management approaches and relationships. It is my belief that effective conservation of fish, wildlife, plants, and their habitats depends on the professional relationship between managers at the state and federal level. If confirmed, I will make coordination with states a priority in all matters, including conservation and management of fish and wildlife resources on federal land.

*Question 30.* Over the years many non-native species of fish and wildlife have been brought to North America. Some have proven to be detrimental requiring control and eradication programs but others have proven highly beneficial including ringneck pheasants, brown trout and Pacific salmon in the Great Lakes. Nonetheless elements within the National Park Service have urged eradication of some non-native species even when long established and well adapted within certain park units (e.g., brown and rainbow trout in the Firehole/Madison Rivers in Yellowstone).

Does your vision of non-native species control extend to eradicating species such as brown trout, pheasants and Great Lakes salmon?



Answer. I believe that management decisions regarding non-native species should be based on the best available science.

*Question 31.* One of the overlooked responsibilities of the Department of the Interior is its oversight of the territories and financial assistance provided to the Freely Associated States. The Freely Associated States play a key strategic role for the United States in the Western Pacific. In 1994, the United States entered into a 50-year Compact of Free Association with the island nation of Palau where the US has exclusive military use rights, while in return we provide Palau with economic assistance and extend other privileges to the Palauan people. Palau has been a steadfast ally to the United States, with a high-enlistment rate in the US military and a reliable vote within the United Nations. The economic assistance provisions of the Compact of Free Association with Palau expired in 2009 and Congress has been funding government operations through discretionary funds on an annual basis since then. An Agreement to extend the financial assistance was reached by the Executive Branch in 2010, however, Congressional approval has been delayed because an acceptable, politically viable offset has not been identified.

Will you commit to working with Congress to find an offset to extend this assistance for our important ally?

Answer. I understand that the Administration continues to strongly support approval of the Palau financial agreement, and looks forward to continuing the United States' partnership with Palau. I look forward to working with Congress to identify ways to move this important agreement forward.

*Question 32.* Wildlife professionals recognize the value of habitat improvement and population management projects for a variety of species, both game and non-game. However, many wilderness activists and other animal protection interests object strongly to wildlife population management arguing that it constitutes inappropriate human intercession into natural processes. This debate has been going on for over a century when Teddy Roosevelt crossed swords with John Muir over the same issues.

Do you support traditional wildlife management and where do you stand—with TR or Mr. Muir?

Answer. I believe that both approaches have value. It would depend on a case-by-case analysis of the specifics of each area, and the purposes for which that area would be used. When confronted with these issues, I would consult with interested parties and scientists to achieve the most appropriate solution, under the specific circumstances.

*Question 33.* Most energy development on federal lands will require water inputs and will produce wastewaters.

What do you see as role of the Department of the Interior in working with local and state entities to plan and manage for water supply and wastewater disposal, treatment, or reuse related to energy development on federal lands?

What is your view on the need for better assessment and study of water-energy nexus themes as they relate to potential stresses on current and future water supplies?

How should DOI be working with other agencies on these issues?

How do costs of electricity and water affect policy and technology choices in this area?

How can the federal government work with the other interested parties in both the public and private sectors to improve overall efficiency and cost savings of water for energy and energy for water type operations?

What is your view on legislation to promote better practices for water-energy nexus related operations?

Answer. I understand that the Department is actively engaged in wastewater management activities through, among other things, the funding of Title XVI grants to municipalities for wastewater treatment and reuse programs. Through the WaterSMART Program, the Department is taking active steps to assist its partners as they consider the relationship between energy and water in planning and implementing their projects and operations. I also understand that the Department works cooperatively with other federal agencies on these issues. If confirmed, I will continue to support the significant collaboration that occurs between DOI and other federal agencies.

*Question 34.* Drought also can influence a variety of other natural hazards and processes, such as wildfire, rapid erosion, and invasive species.

What is the Department doing to understand and reduce the full spectrum of drought-related risks on federal lands and adjacent properties?

Drought is resulting in interest in identifying flexibility in the operations of federal reservoirs and in federal programs. How do you see the Department of Interior using its existing authorities to better prepare for and manage drought?

Answer. As a Westerner, I am aware of the impacts of drought, and I am committed to ensuring that the Department continues to utilize all available tools when addressing drought. It is an issue that requires adaptive land management and thoughtful science-based approaches. While I am not yet familiar with the specific ongoing efforts within the Department related to drought, if confirmed for this position, I look forward to tapping the available scientific resources of the Department of the Interior and other federal agencies to better understand, prepare for, and manage drought impacts.

*Question 35.* There are several outstanding storage project feasibility studies that were authorized under CALFED (e.g., raising Shasta Dam, Temperance Flats, Sites Reservoir).

If these projects are found feasible, would you support authorization for their construction?

What are your views on construction of new dams in the West, generally?

Answer. I am aware that the Department of the Interior has a long history of working to address the water supply needs of California. It is my understanding that the Department has worked with other federal, state, tribal and local agencies to study ways to increase water storage in California. Should I be confirmed, I commit to work with the Bureau of Reclamation to evaluate new surface storage, along with a full array of options designed to provide greater reliability and sustainability, so long as these projects are deemed technically and economically feasible and are developed consistent with applicable law and policy.

*Question 36.* Bureau of Reclamation (Reclamation) has hundreds of facilities, many of which have outlived their original engineering lifespan.

How would you address the problem of aging infrastructure?

What priority would it take in your administration, given all the other competing priorities and budget constraints?

Answer. I recognize that many facilities owned and operated by the Bureau of Reclamation are aging. It is essential that Reclamation maintain and improve its existing infrastructure in order to ensure system reliability and safety and sustained water conservation. I appreciate that aggressive action is required to address future water supply challenges and, if confirmed, I look forward to working with the Bureau of Reclamation on creative approaches for developing financing alternatives to address the aging infrastructure needs of Bureau of Reclamation customers.

*Question 37.* Congress has recently considered legislation related to Reclamation's Lease of Power Privilege Program (i.e., the process by which Reclamation awards contractual rights to a non-federal entity to use a Reclamation Facility for electric power generation).

Please provide updated information on Reclamation's Lease of Power Privilege Program.

How many Formal Requests for Lease of Power Privilege have been received by Reclamation since the latest directive and standard for this process was issued?

Where have these requests been located?

Answer. I understand that Reclamation has worked with the hydropower industry and other stakeholders to improve this process. I have been advised that Reclamation has not had any formal requests for new leases since the revised directive and standard was issued in September.

*Question 38.* Reclamation, with the Colorado River basin states and in collaboration with tribes and other stakeholders, produced the Colorado River Basin Water Supply & Demand Study in December 2012.

Given the current drought conditions and rising water demands by the energy sector, what actions, if any, identified in the report do you see as priorities for the Department of the Interior?

Answer. There is no silver bullet to solving the imbalance between the demand for water and the supply in the Colorado River Basin. It is going to take diligent planning and collaboration from all stakeholders to identify and move forward with practical solutions. If confirmed, I look forward to working with Congress and Basin stakeholders, and using the Colorado River Basin Study, to explore actions we can take toward a sustainable water future.

*Question 39.* Ten years ago the Department of the Interior produced a diagram showing the potential water supply conflict hotspots.

What did DOI learn in the last 10 years about how to successfully and cost-effectively manage these conflicts?

Today's map could potentially have even more areas identified. What is going to be the DOI strategy to address both emerging and persistent water hot spots?

Are there plans for undertaking basin studies in areas of emerging water conflicts?

Answer. While I am not familiar with the diagram produced ten years ago, I understand that the Department has been working hard to address potential water supply conflict hotspots. For example, the Department has been working cooperatively with the Colorado River Basin states on many issues in that stressed watershed. More generally, I understand that the WaterSMART Basin Studies Program provides for collaborative planning to understand the water supply and demand imbalances in a watershed and to identify approaches to address water shortages. And, of course, I have been impressed with the progress that the Administration has made, working with Congress, in resolving a number of major, long-standing cases involving water rights of American Indian tribes and their non-Indian neighbors. I will look forward to continuing to find collaborative ways to successfully and cost-effectively manage water supply conflicts.

*Question 40.* In 2003, the GAO released the results of its survey of U.S. states on water supply issues. GAO found that 26 states anticipate water shortages in the next 10 years. The states told GAO that the federal actions that would be most helpful were: (1) financial assistance to increase storage and distribution capacity; (2) water data from more locations; and (3) more flexibility in complying with or administering federal environmental laws; (4) better coordinated federal participation in water-management arrangements; and (5) more consultation with states on federal or tribal use of water rights. In 2012 at its worst more than 80% of the United States was in drought.

What has DOI done in the last 10 years to address the states' request for assistance, and what is the DOI agenda for addressing the states' request in the next 10 years while remaining sensitive to the current federal fiscal budget constraints?

In particular, what actions can the Department of the Interior do to promote state-level actions to promote more efficient use of water and drought preparedness?

Answer. I understand the importance of water supply issues to the states, local communities and tribes, and I am committed to working with them on these issues. I have been advised that Interior's WaterSMART Program provides federal leadership and resources to promote the more efficient use of water and drought preparedness. If confirmed, I am committed to continuing these efforts.

*Question 41.* What do you see as the role of the Department of the Interior in programs to augment water supplies, such as research and projects related to water reuse, desalination, water efficiency, water banking?

Answer. The Department of the Interior, through the Bureau of Reclamation, aims to promote certainty, sustainability, and resiliency for those who use and rely on water resources in the West. I am told that Reclamation's mission has expanded since its founding more than a century ago to reflect the complexities of water resource development. Aside from fulfilling water delivery obligations, Reclamation places great emphasis on water efficiency and conservation, fish and wildlife conservation, water recycling and reuse, desalination and water banking, in order to address the competing needs for the nation's limited water resources. If confirmed, I also plan to rely on the U.S. Geological Survey, the nation's largest provider of water information, to provide nationally consistent data to guide these efforts.

*Question 42.* In recent years, Reclamation's expenditures under general or "programmatic" authorities (i.e., expenditures not authorized at the project level) have accounted for 20-30% of Reclamation's Water & Related Resources account. In many cases, Reclamation cites multiple authorities for these expenditures.

What are the opportunities for Congress to streamline Reclamation's authorities? Are there areas where Reclamation currently cites multiple authorities where a single, consolidated authority would be more efficient and/or transparent?

Answer. It is my understanding that Congress has traditionally enacted specific authorities for specific Reclamation projects and programs in lieu of an organic act, depending on project beneficiaries, water rights, cost shares, grants, etc. However, some programs are authorized under an umbrella authority like the SECURE Water Act. I will work with Reclamation to further evaluate this issue if I am confirmed.

*Question 43.* Reclamation regularly cites a construction backlog but has provided limited information on it.

What is the total backlog (in dollars) of authorized but not constructed Reclamation projects?

If this figure is not available, why is that the case?

If it is available, please provide any relevant backup information with the response, including project-level data.

What portion of the aforementioned authorized but not constructed backlog figure does Reclamation attribute to "inactive" projects?

If such a figure is available, please clarify how Reclamation defines "inactive."

Answer. I understand that the Bureau of Reclamation is challenged to address all of the demands for authorized projects, water settlements, and conservation. I am

not familiar with the specifics of projects that have been authorized but not constructed, but I understand their importance to their communities and their constituents. If confirmed, I will work to better understand this issue.

*Question 44.* The U.S. Drought Monitor is becoming a popular and useful tool for displaying current drought conditions across the United States. Currently, the Drought Monitor is better at predicting the continuation of drought than it is at identifying that a drought is developing. Predicting the onset of drought can be particularly helpful for private individuals and public entities making water-dependent investments and decisions.

What are your plans for ensuring that Interior agencies are collecting, analyzing, and communicating accurate drought-related information, such as stream flow data, so that the Drought Monitor is accurate and useful to its many users?

Are there efforts within the Department of the Interior to target its research and data efforts to improve the Drought Monitor's ability to predict drought onset?

Answer. Drought is a serious issue facing the Department of the Interior and other state, local and Federal land managers. It is an issue that requires collaboration to find solutions, adaptive land management and thoughtful science-based approaches. While I am not familiar with the specific efforts ongoing within the Department related to the U.S. Drought Monitor, which is primarily within the purview of NOAA and the Department of Agriculture, I understand that information from DOI bureaus, such as from USGS's streamgages, is critical to drought monitoring. If confirmed for this position, I look forward to tapping the vast scientific resources of the Department and working with other federal agencies to cooperate to better understand, prepare for and manage drought.

*Question 45.* When droughts strike the United States, especially multi-year droughts, farmers and ranchers often rely on groundwater supplies to make up for the diminished supplies of surface water.

What is Interior doing, and what does the Department plan to do, to assess the effects of multiyear drought on the nation's groundwater supplies?

Answer. I understand that USGS provides information about the Nation's groundwater resources and is developing a nationwide groundwater monitoring network to help guide decisions regarding this valuable resource. If confirmed, I look forward to learning more about this important issue and the steps being taken to address it.

*Question 46.* NASA recently launched a new Landsat satellite into orbit, and the U.S. Geological Survey will be operating it shortly.

What are Interior's plans for using data collected by the new satellite to assist the nation in preparing for and responding to drought?

If Landsat 8 is an important tool in assessing the nation's natural resources and in assessing stress caused by drought, does Interior plan to continue the Landsat program after Landsat 8?

If so, what will the Department do to plan for the next Landsat and what are its expected costs to build and operate?

Answer. I understand that USGS makes all Landsat data freely available to all users. I also understand that many governmental entities, a number of states and other stakeholders use Landsat data to monitor and manage water use. I know that the Department relies on the Landsat program for a variety of natural resource management needs. If confirmed, I am committed to working closely with the other federal agencies, Congress and other stakeholders to plan for a sustained Landsat program.

*Question 47.* When droughts occur they are always compared to droughts that occurred previously in terms of their severity, their costs, and their impacts to the nation's resources.

What programs and activities are ongoing and what is Interior planning to do to help establish criteria to compare future droughts against past droughts, so that Congress can assess whether federal drought mitigation programs are successful or not?

Answer. It is my understanding that the Department's drought activities build upon lessons learned from prior droughts and utilize expertise developed from over 100 years of standardized monitoring and other efforts in this area. It is my understanding that the Department's water conservation priorities include building on the ongoing WaterSMART Program's activities focused on conservation and reuse of water.

*Question 48.* More than twenty years ago, a program was proposed to reuse and augment water supplies in the western United States. The program was subsequently authorized by Congress in Title XVI of the 1992 Omnibus Reclamation Projects Authorization and Adjustment Act ( P.L. 102-575).

In financial terms, what has been the success of the Title XVI program? (What bang for the buck?)

What has been the range of costs for water produced under the Title XVI program? (i.e., total cost per acre-foot? Cost per acre-foot for federal investment?)

What success has Reclamation had in reducing the backlog of authorized projects in recent years?

Are the recent program criteria improving the efficiency of the program? Is there a need to review the effectiveness of the selection criteria?

It was projected that another 230 thousand acre-feet would be produced under the WaterSMART program by the end of 2013. How much of this was to be done under the Title XVI program?

Has progress on Title XVI since the overview report was written met expectations?

Does Reclamation expect to reach this goal by the end of this year?

What have we learned from 20 years of experience with this program? Should it be replicated? Extended nationwide? Phased out? Is it duplicative?

Answer. If confirmed, I intend to continue the Department of the Interior's support for the Title XVI Program. Title XVI is a key component of the Department's efforts to address the serious water challenges facing the West. Water reuse and water conservation are vital to any attempt to meet increased demands for water and energy in the face of growing populations, environmental requirements, and the potential for decreased supplies due to drought and climate change.

*Question 49.* Former Commissioner of Reclamation, John W. Keys, noted that wastewater represented the last untapped river, or water supply.

Do you agree with this statement?

If so, what would you do to promote capture of this resource?

Answer. Identifying and investigating opportunities to reclaim and reuse wastewater and naturally impaired ground and surface water is a valuable tool to stretch limited water supplies. I understand that through the Department's Title XVI program, reclaimed water can be used for a variety of purposes such as environmental restoration, fish and wildlife, groundwater recharge, municipal, domestic, industrial, agricultural, power generation, or recreation. Water reuse is an essential tool in stretching our limited water supplies. If confirmed, I will look into opportunities to use this as a tool for additional water conservation.

*Question 50.* What river basin studies are underway and what is their status?

What priorities would you have for these studies?

What would you propose happen next with the river basin studies? For example: What is to be done with the information gathered? Should DOI make recommendations to the Congress based on these studies? What administrative actions do you see coming out of these studies?

Answer. I understand that since the program was initiated in 2009, a total of 17 Basin Studies have been selected for funding, and three studies have been completed (Colorado, Yakima and Milk River). Four more studies are expected to be completed by the end of 2013. In general, each study takes 2-3 years to complete.

If I am confirmed, basin studies will continue to be a priority because they bring together basin stakeholders to proactively build collaborative solutions to imbalances between water supply and demand. I would envision that the Department will continue to take a strong role in working with its partners to collaboratively develop basin-scale solutions based on a rigorous analysis of options and sound science.

*Question 51.* What is the status of the Water Census?

What progress has been made on developing tools for estimating water consumption rates?

Has DOI received feedback from states and localities re: the usefulness of new tools for projecting stream flow and water use and evaporation?

What direction do you see this program element taking?

What is the priority for this program given the uncertainty in fiscal resources and vis-a-vis other competing programs?

Answer. Those of us in the West, in particular, know the value of water and also know the value of an accurate accounting of water use and water flows. I am not familiar with the specifics of progress of the USGS Water Census, but I believe that this program assesses water availability and use and is an essential step in understanding and managing this vital natural resource. I am committed to relying on the sound science developed by USGS through the Water Census as we make resource decisions. If confirmed, I will evaluate the priority and resources for this program.

*Question 52.* Please provide an update of the Administration's involvement in the Bay Delta Conservation Plan.

Answer. I am aware that the Administration strongly supports efforts to provide a more reliable means of transporting water through California's Bay Delta while, at the same time, meeting the State's "co-equal" goal of protecting, restoring, and enhancing threatened and endangered species and the overall quality of the Bay-Delta environment. I understand that the status quo in the Bay Delta is unsustainable. The Department, working in tandem with other federal agencies, is partnering with the State of California to develop the Bay Delta Conservation Plan as a workable solution for water providers, farmers, conservation interests, and the surrounding communities.

*Question 53.* Several parties to the Klamath Basin Restoration Agreements have recently withdrawn their support for the agreements.

What is the Administration's current position on the agreements?

Under what circumstances would the Administration reevaluate its position?

Answer. It is my understanding that the Klamath Agreements represent an opportunity to restore the basin and move past the ongoing crises driven by water scarcity in this over-allocated basin. I understand that these agreements were developed by those who live, work, and fish in the basin and have been the most affected by water shortages, fish die-offs, and fishery restrictions. I have been advised that all parties to the restoration agreement agreed to extend it through 2014, and that since that time, only one party, Klamath County, has sought to withdraw from the agreements. I am also aware that while the Department has evaluated a broad range of alternatives, it remains open to exploring other options.

*Question 54.* What is your overall view of the need for water desalination (both seawater and brackish water) in the U.S.?

What are the current and projected capacities of seawater and brackish water desalination operations in the U.S. by end user types (e.g., municipal, industrial, agricultural, and others)?

Is there a need to expand desalination activities in the U.S. given recent droughts and on-going water shortages around the country, especially in the southwest states?

If yes, how would you meet these needs?

What federal resources are allocated to assist and expand on desalination activities around the country? Please be specific on type of activities and locations.

What coordination has DOI been conducting with other agencies (federal and state) in planning and carrying out desalination activities?

What technologies are being used for seawater and brackish water desalination operations in the U.S., and are these technologies considered state of the art or "best practice" in your opinion?

Does DOI maintain an active database on desalination operations?

What is the current status of federally-funded R&D activities in desalination technologies, and do you have knowledge of other similar state and locally funded activities?

Answer. I am aware that the Bureau of Reclamation supports water desalination and advanced water treatment research through several programs, including a state-of-the-art facility in Yuma, Arizona, and that as water desalination facilities become more efficient, reliable and less expensive to operate, the Department is well positioned to support these projects in order to facilitate the identification and use of additional sources of potable water. I understand that water desalination is not a panacea to address the nation's growing water needs, but it is a valuable tool that is available to many areas of the country that lack alternatives. If confirmed, I will ensure coordination with other agencies as part of the Administration's overall efforts to deal with this and related issues.

*Question 55.* Due to increasing receipts and flat/declining appropriations, the Reclamation Fund has a growing surplus. According to the FY2013 Budget, as of the beginning of FY2013, the Reclamation Fund was expected to have a balance of approximately \$10.7 billion.

Does Reclamation or the Administration have a position on potential uses of surplus balances in the Reclamation Fund?

Would you support use of future surplus balances of the Reclamation Fund for other water storage?

Do you support use of these funds on specific project types or in specific geographic areas?

Please provide an updated balance of the Reclamation Fund.

Assuming current levels of appropriations and receipts, what would be the expected balance of the Reclamation Fund in the year 2020? 2030?

Please provide a state-by-state breakdown of the receipts from mineral royalties going to the Reclamation Fund over each of the last five fiscal years.

Answer. While I am not currently at the Department and cannot address these specific issues, if confirmed I look forward to learning more about the Reclamation Fund. I have forwarded to the Office of Natural Resources Revenue your request for a state-by-state breakdown of the receipts from mineral royalties going to the Reclamation Fund over the last five fiscal years.

*Question 56.* Under Title X of P.L. 111-11, the Reclamation Indian Water Settlements Fund is to receive \$1.2 billion in mandatory appropriations from FY2020-FY2029, and is to use these funds on a number of priority Indian water settlement projects. The Cobell Settlement (P.L. 111-291) provided additional mandatory funding over the FY2011-FY2016 period for several of the settlements originally prioritized for funding P.L. 111-11. Additionally, several of the water settlement projects have also received discretionary funding.

Please provide an update, including any relevant backup information, on the projects expected to receive priority funding from the Reclamation Water Settlements Fund.

What is DOI's plan for how it would utilize funding in the Reclamation Water Settlements fund if it were not required for the projects mentioned in P.L. 111-11?

Does the mandatory funding for individual settlements in P.L. 111-291 increase the likelihood that some of the projects originally prioritized for funding under P.L. 111-11 will not require their full mandatory funding allocations?

If so, how much of this "surplus" funding may be available based on current expected funding levels?

Answer. I am told that adequate and timely funding for Indian water rights settlements has been and continues to be an ongoing challenge for the Department.

I have been informed that at this time, projects clearly anticipated to receive PL 111-11 funds would include the Navajo-Gallup Pipeline project; the Aamodt Regional water supply project; and the Crow project. PL 111-291 provided partial funding for White Mountain Apache, Taos Pueblo, the Aamodt settlement and the Crow projects. There are other settlements contemplated that could be eligible for Reclamation Water Settlements Fund funding.

If confirmed, I will be reviewing the details of settlements to understand the funding and use of the fund.

*Question 57.* Congress has recently considered legislation related to Reclamation's Lease of Power Privilege Program, the process by which Reclamation awards contractual rights to a non-federal entity to use a Reclamation Facility for electric power generation. Please provide updated information on Reclamation's Lease of Power Privilege Program.

How many Formal Requests for Lease of Power Privilege have been received by Reclamation since the latest directive and standard for this process was issued?

Where have these requests been located?

Answer. I understand that Reclamation has worked with the hydropower industry and other stakeholders to improve the Lease of Power Privilege process. I have been advised that Reclamation has not had any formal requests for new leases since the revised directive and standard was issued in September, 2012. However, I am told that Reclamation has had several informal discussions on several sites in Colorado where developers are in the beginning stages of expressing interest.

*Question 58.* Recreational shooting is among the most beneficial of the multiple-uses of BLM public lands. In addition to benefitting local economies, recreational shooting accounts for the majority of the revenue generated for conservation efforts through Pittman-Robertson excise taxes. For these reasons, it is concerning that BLM has recently prohibited recreational shooting in a number of areas it manages.

As Secretary, what actions would you take to ensure the availability of enhanced and expanded shooting opportunities on BLM lands?

Efforts to ban or restrict the use of traditional ammunition and tackle containing lead components are underway across the country. In the vast majority of cases, there is little or no credible scientific information pointing to beneficial impacts to wildlife that would result from the bans. Bans on traditional ammunition exponentially increase the price of hunting, fishing and shooting which results in the loss of jobs, less hunters and anglers and declines in conservation funding.

What is your position on the use of traditional ammunition and tackle (containing lead) for hunting, angling and recreational shooting on federal lands?

Answer. I know that these activities are a critical part of many Americans' family traditions and heritage. If confirmed, I will strongly support the goal of promoting opportunities for outdoor recreation, including hunting and recreational shooting, on our public lands. It is my understanding that over 95 percent of the BLM's 245 million acres of public land are already open to recreational shooting, and that, on public lands managed by the BLM, hunting is allowed virtually everywhere the individual states allow it. If confirmed for this position, I look forward to using my expe-

rience to convene people from a variety of viewpoints and recreational interests to find common ground in the balance of public safety, resource management, and multiple uses of public lands.

*Question 59.* As Secretary of the Interior, you will be charged with ensuring the Department's implementation and compliance with the Endangered Species Act.

Will you commit that, during your tenure at the Department, you will direct and ensure that the U.S. Fish and Wildlife Service (FWS) actively engages and cooperates with State and local governments, private citizens and businesses on Endangered Species Act (ESA) decisions that will affect them?

Answer. As I described in my confirmation hearing, I want to better understand the issues and to make implementation of ESA less complex, less contentious, and more effective. If confirmed, I commit to working closely with members of this Committee and stakeholders to find common sense ways for the ESA to work for landowners while ensuring that ESA listing decisions are made based on the best available science and that statutory and regulatory standards are met.

*Question 60.* President Obama has recognized the need to streamline federal regulations and permitting programs. The ESA Section 7 consultations process has been criticized as being too cumbersome with unenforceable deadlines and can result in significant delays for projects that can otherwise provide needed jobs to meet our nation's infrastructure needs.

Will you commit to ensure that USFWS works with State and local governments, businesses, individuals and all organizations to identify ways to improve and streamline the ESA Section 7 consultation process?

Will you commit that the Department will end its practice of closed-door settlements between environmental plaintiffs on ESA listing matters?

Will you fully consider proposals (including regulatory or legislative efforts) that ensure that parties do not use the judicial system to usurp the effective administration of the ESA, including improvements to the management and deadlines for listing and critical habitat determinations under the ESA?

Answer. As I noted above, I commit to working closely with members of this Committee and stakeholders to find common sense ways for the ESA to work for landowners while ensuring that ESA listing decisions are made based on the best available science and that statutory and regulatory standards are met. As a general matter, I am sensitive to the concerns of farmers, ranchers, industry, private landowners and other stakeholders with regard to proposed ESA decisions. I believe that in order to understand the issues, appreciate their complexities and find common ground, it is key to bring multiple stakeholders to the table to work together. If confirmed, I commit to bringing that kind of approach to the Department.

*Question 61.* Numerous courts have determined that recovery plans for endangered and threatened species are nonbinding guidance—namely, that they do not impose requirements on federal agencies. *Fund for Animals v. Rice*, 863 F.3d. 535 (11th Cir. 1996); *Oregon Natural Resources Council v. Turner*, 863 F.Supp. 1277 (D. Or. 1994); *Defenders of Wildlife v. Lujan*, 792 F.Supp. 834 (D.D.C. 1992) *National Wildlife Federation v. National Park Service*, 669 F.Supp. 384 (D. Wyo. 1987).

How will you ensure that your Department's implementation of the ESA continues to implement recovery plans as guidance only and does not seek to impose recovery plan measures as mandatory actions through such measures as reasonable and prudent alternatives under a section 7 biological opinion or as required terms in the development of a habitat conservation plan?

Answer. My understanding is that because a recovery plan is nonbinding guidance, it cannot be used to impose requirements on federal agencies or direct federal agencies to take actions. If confirmed, I will ensure that recovery plans will be used by FWS as prescribed by the ESA.

*Question 62.* The purpose of the Endangered Species Act is to protect and conserve endangered and threatened species. Certain environmental groups continue to attempt to use the ESA to pursue and require the reduction of greenhouse gas emissions.

How will you ensure that, consistent with your obligation to carry out the purposes of the ESA, the Department of the Interior does not allow parties to use the ESA as a back-door mechanism to force the debate or choice of federal statutory or regulatory actions regarding responses to climate change or any regulation of greenhouse gas emissions?

Answer. This Administration has made it clear that it does not consider the ESA to be an appropriate tool to regulate greenhouse gas emissions. I share this position.

*Question 63.* The Department of Interior has an "environmental justice" policy that requires the Department to manage resources in a "manner that is sustainable, equitable, accessible, and inclusive of all populations". Alaska has areas with very high unemployment rates, Aleutians East Borough is 28.6%, Hoonah-Angoon is



22.7%, Wade Hampton is 18.9% with many more residents not even counted in the rate because they have given up actively seeking work. These same areas often have very high fuel and food costs and no road access. Where a decision is controlled by Interior, if that opportunity is taken away, it has impacts. Also, rural boroughs, equivalent of counties, may receive the bulk of their property taxes for schools or other uses from resource development projects. The opportunity for these jobs for a family may only come around once in a generation.

Do you understand that high paying jobs tied to development of natural resources in Alaska and shift work like 2 weeks on and 2 weeks off at the Red Dog mine allows Alaskan rural residents, often Alaska natives, to survive where they live and follow their traditional lifestyle?

Answer. As I mentioned when we met in your office, my experiences working as a natural resources banker for Alaskan interests have given me an appreciation for the uniqueness of life in Alaska. I appreciate that the economic conditions experienced by Alaskans are unique in many ways.

*Question 64.* Would you agree being allowed to earn a good living, raise a family, and stay in your traditional village area and live a subsistence lifestyle is a form of environmental justice?

Would you pledge to consider health and life impacts on Alaskans and their communities from not developing resources and not creating jobs in your decision making?

Answer. I appreciate that the economic conditions experienced by Alaskans are unique in many ways, and I commit not to lose sight of that reality if confirmed as Secretary.

*Question 65.* Currently the Alaska Regional Director's position is open at the Bureau of Indian Affairs. The agency has recently circulated two candidates for comment by Alaska tribes. Both of the candidates are not from Alaska or from the Alaska Native community, although one of the two has served in Alaska as a forester and an inventory specialist at the BIA.

What is your general policy regarding appointments for Interior agency leadership personnel?

What will your appointment or pre-appointment policy regarding recruiting and vetting agency officials before affected user groups before hiring or promotion?

Answer. I plan to bring energy and commitment to the Department of the Interior consistent with the environment I supported at REI and in other leadership roles. If confirmed, I will seek candidates for leadership positions that understand the needs and interests of the groups they serve as well as bring an understanding of agency policies and programs where possible.

*Question 66.* One of the challenges with renewable electricity, particularly in the West, is the need to build electric transmission lines on federal lands in order to link areas with abundant resources to areas of high demand.

What are your thoughts on siting and building transmission generally?

Are there anything specific federal lands on which you plan to promote to build more interstate transmission lines?

What is the status of Secretary Salazar's selected high priority transmission lines? Have any of these lines been completed? If not, what is the timeframe for completion?

What roadblocks, if any, have the Department faced? What roadblocks, if any, does the Department currently face?

One common criticism is that the BLM districts often have different requirements—even if the districts are located within the same state. Is this accurate?

If so, why aren't BLM's requirements for transmission lines across federal lands harmonized and what is being done to remedy duplicative or inconsistent requirements for the same transmission line among different BLM districts?

Answer. As I stated during the hearing, I support the President's "all-of-the-above" energy strategy, and that includes continued, significant emphasis on building transmission lines to support energy development. If confirmed, I will support the appropriate siting and building of transmission lines on federal lands while balancing the need for additional transmission capacity with other uses of federal lands. I understand that under Secretary Salazar's leadership, the Department of the Interior and the BLM have prioritized processing right-of-way applications for transmission projects to support sound energy development. While I do not know the current status of each project, if confirmed, I look forward to continuing this emphasis on needed transmission projects that promote our nation's energy development. I am also aware of the increasing complexity of new transmission projects given the many existing uses and values on federal, state, tribal and private lands and commit to using sound science to guide these decisions. If confirmed, I look for-

ward to working with Congress and stakeholders to develop common-sense solutions to these complex challenges.

*Question 67.* We still do not have any off-shore wind electricity production in this country even though the Cape Wind project has been under development for over a decade.

What is your position on the Cape Wind project?

Do you support expedited judicial review for offshore renewable projects that have been approved by DOI? Please explain.

Answer. Offshore wind is an important component of the Administration's all-of-the-above energy strategy. I am told by the Bureau of Ocean Energy Management that the Department has granted Cape Wind's developer all of the approvals it needs to begin construction, and Cape Wind has power purchase agreements for most of its power generation. If confirmed, I would ensure that the decisions the Department makes with regard to wind power development, as with any offshore energy development, are based on sound science, and that we continue intensive stakeholder engagement with other federal agencies, states and local communities, the offshore wind industry, tribes, the maritime and fishing industries, environmental groups and others that is designed to address and minimize conflicts early in the process and minimizes the risk of judicial challenges.

*Question 68.* Under Section 1110(b) of ANILCA, the Secretary of the Interior is required to give the owner of any lands effectively surrounded by one or more conservation system units (CSUs), "such rights as may be necessary to assure adequate and feasible access for economic and other purposes to the concerned land" (16 U.S.C. §3170(b)). That grant of rights is "subject to reasonable regulations issued by the Secretary to protect natural and other values of such lands." (Id.) ANILCA's implementing regulations define "adequate and feasible access" to mean "a route and method of access that is shown to be reasonably necessary and economically practicable but not necessarily the least costly alternative for achieving the use and development by the applicant on the applicant's nonfederal land or occupancy interest" (43 C.F.R. §36.10(a)(1)).

The regulations go on to explain when an agency can deny or modify a route or means of access across a CSU proposed by an applicant. Under these regulations, an agency "shall specify in a right-of-way permit the route(s) and method(s) of access across the area(s) desired by the applicant, unless" the agency makes one of four specified determinations (43 C.F.R. §36.10(e)(1)):

- i The route or method of access would cause significant adverse impacts on natural or other values of the area and adequate and feasible access otherwise exists; or
- ii The route or method of access would jeopardize public health and safety and adequate and feasible access otherwise exists; or
- iii The route or method is inconsistent with the management plan(s) for the area or purposes for which the area was established and adequate and feasible access otherwise exists; or
- iv The method is unnecessary to accomplish the applicant's land use objective.

The U.S. Fish and Wildlife Service (USFWS) recently issued a Draft Environmental Impact Statement (DEIS) for the Shadura Natural Gas Development Project. This project is located on ANILCA lands owned by one of the ANCSA Regional Corporations. Based upon certain statements made in the DEIS, it seems the USFWS has misinterpreted its limited authority under Section 1110(b) of ANILCA and the agency's regulations at 43 C.F.R. §36.10 to reject an applicant's proposed access route in favor of a different alternative. In the DEIS, the USFWS represents that its responsibility is to "decide on the best alternative to access natural gas leases beneath the Refuge and what stipulations will be required." This statement fundamentally misrepresents the USFWS's responsibility under ANILCA and its implementing regulations.

The Shadura Natural Gas Development Project is just one of many potential economic development projects located on ANILCA lands that require access across CSUs.

Will you commit to continue to enforce the laws and regulations as provided under Title XI of ANILCA?

Answer. I am not familiar with the specifics of your question. However, should I be confirmed, I commit to working with my colleagues in the Administration to ensure that all laws and regulations that fall under my purview are adhered to, including ANILCA. I look forward to working with you to examine and better understand this issue to appropriately address your concerns.

*Question 69.* All federal decisions regarding energy exploration and production on the OCS must be made in consultation with affected states. However, in recent

years, the federal government has taken significant actions affecting OCS energy development with little consultation with the states. One of the core missions of the OCS Governors Coalition is to promote a constructive dialogue with federal policy makers on decisions affecting offshore development. Yet, prior to release of the proposed Final Outer Continental Shelf Oil and Natural Gas Leasing Program for 2012-2017, the State of Alaska was not consulted on the Department of the Interior's decision to postpone lease sales off Alaska one year from the initial timeframe. Moreover, President Obama canceled Lease Sale 220 off Virginia in December 2010, without sufficient consultation with the Commonwealth of Virginia. The bipartisan leadership in Virginia has clearly indicated multiple times that it supports a leasing program in the Atlantic, and Governor McDonnell has addressed the Administration's concerns about safety and spill containment infrastructure and coordination with military operations in the area.

Understanding the multiple stakeholder conversations that go into planning a leasing program, please discuss the legal and otherwise appropriate role for the input of state governments.

What actions would you take to ensure sufficient and ongoing input from the states?

Answer. I strongly support transparent decision-making processes that include coastal states that have a strong interest in safe and responsible offshore energy development. If confirmed, I will work with the Bureau of Ocean Energy Management and others to ensure that the Department actively seeks and considers coastal states' interests as we conduct the balancing of the full range of criteria that underlies leasing decisions under the Outer Continental Shelf Lands Act.

*Question 70.* A second priority for the OCS Governors Coalition is the pace of permitting for OCS oil and natural gas operators. Following the temporary deepwater-drilling moratorium in 2010, operators experienced significant delays in plan and permitting approval. Even though operators in the Gulf of Mexico are starting to return to pre-Macondo operation levels, several concerns with the inefficient and inconsistent regulatory regime for offshore operators remain.

What measures can be taken by the Department of the Interior to ensure a more timely and consistent regulatory framework for all operators without sacrificing environmental safety?

The Bureau of Ocean Energy Management is finalizing its evaluation of the impact of seismic activity in the Atlantic, a critical first step in assessing the resource base in the area. Can you please discuss your thoughts on reissuing a lease sale in the Atlantic now and including additional leasing opportunities in the Department's 2017-2022 leasing plan?

Answer. I understand that both the Bureau of Safety and Environmental Enforcement and the Bureau of Ocean Energy Management have worked diligently to ensure compliance with the heightened drilling safety and environmental protection standards implemented following the Deepwater Horizon oil spill, while also ensuring that the regulatory process is transparent and efficient. I understand, as a business person, the importance to industry of regulatory certainty and clarity. To the extent possible under constrained budgets, if I am confirmed I will work to ensure those bureaus have the resources to efficiently conduct the plan review and permitting process, and that they continue to work with industry to maintain efficient and responsive regulatory processes under the strengthened standards.

I am also told that the existing seismic data for oil and gas resource potential in the Mid-and South Atlantic is not well understood because it is more than 25 years old and was collected with outdated technology. BOEM is taking action to address this, including finalizing an environmental review that is necessary to support environmentally responsible seismic surveys, working with the Department of Defense, coastal states, and other stakeholders to address complex space-use conflicts, and working to consider long-range planning for the infrastructure that would be necessary to support exploration and development activity in this region. If confirmed, I would ensure that this process moves forward expeditiously.

*Question 71.* Ongoing budget constraints and cuts to the Department of the Interior's budget will undoubtedly affect the ability of federal regulators to develop and execute leasing plans, process permits and plans, and move forward on new programs for renewable offshore energy. At the same time, the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement are continuing to institute reform efforts following the restructuring of the Minerals Management Service. Parts of these efforts focus on improving the quality and number of regulators.

How would you mitigate the impact that budget cuts could have on the ability of the Department of the Interior to issue permits and execute environmental studies and leasing programs in a timely manner?

Further, what measures can you institute, as a former business executive, to attract talented and experienced regulators?

Answer. I understand the 2013 President's budget included additional resources to enable BOEM and BSEE to implement program improvements in conventional and renewable energy programs, and funding the needed capacity for BOEM and BSEE as independent entities to adequately oversee offshore conventional and renewable energy development. If confirmed, I will work with the bureaus to examine the impacts of operations under the continuing resolution and the sequester, but I understand that severe budget cuts will likely slow the core operations, like review of plans and permits.

As the CEO of a \$2 billion company, ranked by Fortune magazine as one of the best places to work in America, I understand how important it is to find, recruit, train, develop, and keep talented and hard working people. Should I be confirmed as Secretary, I look forward to working with the Administration and the Congress to utilize strategies to provide working conditions that will make the Department of the Interior an attractive place to work.

*Question 72.* The Department recently finalized a new land plan for the National Petroleum Reserve-Alaska which officials have said will allow oil and gas pipelines carrying potential Chukchi and Beaufort Sea hydrocarbon discoveries back to the Trans-Alaska Pipeline System, to cross rivers in NPRA that the plan intends to manage similar to River and Scenic Rivers.

As Secretary do you commit to do everything necessary to uphold that commitment, in the event of legal challenges of such pipelines crossing areas that the Department is designating as special areas and issuing special management criteria as part of the land plan?

Answer. I support the intent of the plan to allow for the potential construction of pipelines carrying oil or gas from operations in the Chukchi and Beaufort Seas through the NPR-A. I appreciate the important role that Alaska plays in developing our domestic energy resources. If confirmed, I will commit to reviewing this issue further and working with you and members of the Committee.

*Question 73.* While major North Slope gas producers have currently suspended actions to build a 48-inch natural gas pipeline through Alaska and Canada to deliver 4 billion cubic feet of gas a day to the Lower 48 states, such a pipeline route if it is reactivated will need to cross about one mile of the Tetlin National Wildlife Refuge. The sponsors have been seeking Department approval of a land exchange to clear the right-of-way for such a pipeline, a land exchange that the U.S. Fish and Wildlife Service recently said it likely will not support.

What is your view of the permitting a pipeline to carry natural gas from Alaska to the continental U.S. to cross the refuge and would you support a right of way permit for such a crossing, or a land exchange that would adjust refuge boundaries to allow a gas line project to proceed?

Answer. I am not familiar with this specific request. However, if confirmed, I commit to working with FWS and stakeholders to better understand the issue with the goal of finding reasonable solutions in accordance with applicable laws, regulations, and Administration policy and the best available science.

*Question 74.* The State of Alaska for more than a decade has been seeking to claim an expanded portion of the corridor that contains the Trans-Alaska Oil Pipeline has it moves south from Prudhoe Bay to Valdez, Alaska.

As Secretary would you have an opinion on whether to support or the Department oppose an expansion of the state's control over portions of the corridor, especially along northern segments of the 800-mile pipeline, north of Paxson, Alaska toward the Dalton Highway?

Answer. As I mentioned in our meeting, I first learned of the complexities of the Trans-Alaska Oil Pipeline in the mid-1970s when I worked on its development. I am not familiar with the specific interests of the State of Alaska with respect to portions of the Trans-Alaska Oil Pipeline corridor north of Paxson, Alaska. However, if confirmed, I commit to working with the State to understand the State's perspective on this matter.

*Question 75.* For the budding ocean energy/marine hydrokinetic industry to advance, it will require Department agencies to permit leasing of offshore waters farther than 3 miles from U.S. coasts to permit off-shore platforms for potential current, wave and ocean thermal conversion technology equipment placement.

What will you do to simplifying the current red tape that is complicating permitting decision for this form of renewable energy development to proceed?

Answer. I support the President's all-of-the-above energy strategy, and offshore renewable energy is an important part of that plan. Unlike the case of offshore wind, I understand that the jurisdiction for offshore current and wave energy on the OCS is shared—the Department of the Interior and the Federal Energy Regulatory

Commission (FERC). I am told that the two agencies have worked well together to create a process for review and approval of such projects and, if confirmed, I will ensure that BOEM continues to work with FERC, industry, the states, and other stakeholders to make this process as efficient, cooperative and transparent as possible.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR RISCH

##### ROLE OF STATES IN THE ENDANGERED SPECIES ACT (ESA)

*Question 76.* In administering the Act, how will you engage the states as critical partners—not as mere stakeholders—in this process?

Answer. I believe that states are important players in preventing the extinction of species, recovering endangered species, and keeping other species off the threatened and endangered list. As a nominee, I have learned of some impressive and successful partnerships with states in recovering listed species and preventing the need to list species. If confirmed, I will make sure we continue to engage states early and often with regard to administering the ESA.

##### SUCCESS IN THE ESA

*Question 77.* How do you define success under the Act? Does the amount of species listed constitute success or is success achieved when a common sense plan is developed that precludes the need to list while also maintaining predictable levels of land use?

Answer. I believe the record shows that the ESA has saved hundreds of species from extinction and has promoted a more sustainable management of our nation's vital natural resources. I am aware that the Department and the FWS have worked to develop policies and pursue actions like voluntary conservation agreements that serve to preclude the need to list or that facilitate recovery and provide landowners and businesses welcome predictability. If confirmed, I commit to implementing the law based on the best available science, with a goal of working with land managers to prevent the need for listing through thoughtful advance planning and action.

##### APPLICATION OF NEPA TO INDIAN LANDS

*Question 78.* One barrier to reservation employment and economic development is the application of the National Environmental Policy Act (NEPA) to Indian lands. Its application to Indian reservations raises some concerns. Indian reservations are actual homes to communities of American Indians: they are not preserves. The application of NEPA to Indian lands imposes significant costs and regulatory burdens that have served to all but stifle housing and infrastructure development, energy development, and business development on Indian lands. Can you please share with the Committee your thoughts on NEPA's obstruction to economic and infrastructure development on Indian lands?

Answer. NEPA requires disclosure of the environmental impacts of certain federal actions, including certain activities that take place on Indian lands, such as housing and economic development activities and energy development activities that require federal agency approval. I understand that the recently enacted HEARTH Act and the Department's leasing regulations will make energy development and other economic activity on tribal lands more efficient. If confirmed, I look forward to identifying potential efficiencies to facilitate economic development on Indian lands.

##### MULTIPLE USE

*Question 79.* The Department of Interior manages lands for a number of different purposes. Many of these lands are managed for particular dedicated purposes, such as national parks. Others are managed for multiple use. Please describe your understanding of the term "multiple use" and how this understanding will guide your administration of the Department should you be confirmed as Secretary?

Answer. I understand that the term "multiple use" is defined in the Federal Land Policy and Management Act. I mentioned at my confirmation hearing that I believe we must take a balanced approach to determining the multiple uses of our public lands. Throughout my business career my approach has been to bring people who have different interests in an issue together to help them work out those differences. With regard to the use of public lands, regardless of whether it is hunters or anglers, mountain bikers, OHVs, oil and gas development companies or others, it is important that different parties work together to find common ground. If confirmed as Secretary, I commit to bringing that attitude and approach to the Department of the Interior.

## COLLABORATIVE CONSERVATION

*Question 80.* Myself, along with Senator Crapo, would like to know more about your philosophy as it relates to collaborative problem-solving at the Department of the Interior and specifically in the Bureau of Land Management. The Idaho Office of the Bureau of Land Management is at minimum slowing down, and perhaps seeking to eliminate, funding for the Tribal Cultural Resources Protection Program, which is a key element of the Owyhee Initiative (Public Law 111-11). This program is of extraordinary importance to the Shoshone-Paiute Tribes of southwestern Idaho. Can I have your assurance that you will review this important funding mechanism and get back to me as soon as possible with regard to how the Department can assure resources continue to make it to this critical program?

Answer. If confirmed, I will become familiar with this program, and I will be happy to work with you, Senator Crapo, and the members of this Committee.

## SCIENTIFIC REVIEW

*Question 81.* The Owyhee Initiative (Public Law 111-11), among many other features, has commenced a "science review" process wherein range management experts review any given allotment and make specific science-based recommendations on the management regime for that specific allotment. However, the Idaho Office of the Bureau of Land Management, in response to a decade-old lawsuit, continues to recommend management plans that clearly conflict with the best available science as determined by the "science review" process. Senator Crapo and I would like to know what is your view of the role of the external experts offering their input for science-based management plans?

Answer. Although I am not familiar with this specific issue, I understand that the Department of the Interior and the BLM are often faced with complex multiple-use issues when developing management plans. Throughout my career as a business person, my general approach has been to bring different parties together to address complex problems. If I am confirmed, I will also bring that attitude and approach to the job and will work to ensure that decisions are made using the best available science, including listening to external experts.

## RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR MANCHIN

*Question 82.* In West Virginia, the Land and Water Conservation Fund (LWCF) has helped maintain and expand access to some of our State's natural treasures for the benefit of all.

Access projects funded by LWCF, in places like the Monongahela National Forest, Canaan Valley, and the Gauley River, not only keep public lands public for sportsmen, but also promote West Virginia's thriving and growing outdoor recreation economy—an economy that supports 81,600 direct jobs and contributes about \$9.6 billion annually to my State's economy.

I have been a supporter of the LWCF because it is an important program that ensures that residents and visitors are able to continue to hunt, fish, hike, and participate in other outdoor activities in West Virginia.

If confirmed as Secretary, what will you do to ensure that sportsmen's access projects, though sometimes small, are priorities for LWCF funding?

Answer. As a former petroleum engineer, CEO and outdoor enthusiast, I recognize the value of being a good steward of our natural resources and its intrinsic connection to job creation and economic progress. I also understand the importance of the Land and Water Conservation Fund. Conservation of our natural resources, both wildlife and the protection of important lands, and our outdoor heritage, including hunting and fishing, remains essential to Americans' quality of life and to our economy. As I stated at my confirmation hearing, I believe that the Land and Water Conservation Fund has been critical across the country in bringing resources to bear for public lands for recreation and conservation. Should I be confirmed, these important interests will be in the forefront as I balance the critical missions of this Department.

*Question 83.* Recently, access to fishing and recreational boating has been restricted on some federal lands and waters—Cape Hatteras National Seashore and Biscayne National Park serve as examples.

As an avid angler and sportsmen, I strongly support access on public lands and waters for fishing and boating.

If confirmed as Secretary, how would you work with anglers, sportsmen, boat enthusiasts, and local communities to promote and enhance better access to public lands and waters for fishing and recreational boating?

Answer. I understand the importance of access to public lands and waters, and the importance of seeking early input from impacted communities and other stakeholders. Throughout my business career, I have brought different parties together and tried to reach agreement on difficult issues. If confirmed, I will strongly support the goal of promoting opportunities for outdoor recreation, including fishing and boating, on America's public lands and waters.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR SCOTT

##### ATLANTIC OUTER CONTINENTAL SHELF

*Question 84.* What is your view of expanding offshore oil and natural gas exploration into areas that have not been explored in decades such as the Atlantic Outer Continental Shelf (OCS) and the Eastern Gulf of Mexico?

Answer. As discussed at my confirmation hearing, I am committed to the President's "all-of-the-above" energy strategy to increase domestic production and reduce dependence on foreign oil. This includes exploring new frontiers and technologies to develop both conventional and unconventional sources of energy, including renewables.

With respect to the Atlantic, I understand that the Department's efforts are focused on better understanding resources potential, including conducting an environmental review to support environmentally responsible seismic surveys; working with the Department of Defense, coastal states, and other stakeholders to address complex space-use conflicts, and working to consider long-range planning for the infrastructure that would be necessary to support exploration and development activity in this region. With regard to the Eastern Gulf of Mexico, I understand that the Administration's plan makes available for leasing those portions of the Eastern Gulf that are not subject to Congressional moratorium.

*Question 85.* The Obama administration's 2012-2017 leasing plan excludes the Pacific and Atlantic OCS. How would you approach the next leasing plan with respect to the waters off South Carolina and other states?

Answer. I appreciate the critical importance of the five-year plan in ensuring the responsible development of the Outer Continental Shelf. The 2018-2023 plan should reflect new information generated by the efforts I referenced in my response to the previous question.

*Question 86.* If the governor of a state expresses interest in allowing offshore oil and gas development off its coast as part of the 5-year OCS leasing plan development process, what value or weight would you give to the input from democratically elected governors? Would you honor that request and schedule a lease sale?

Answer. As a general matter, I believe that when we look at developing energy sources it is essential to bring parties, including representatives from affected states, localities and tribes to the table and try to reach agreement on difficult issues. I understand that with respect to the development of the Five Year OCS Oil and Gas Leasing Program, consideration of the position of affected states is specifically required by the Outer Continental Shelf Lands Act. If confirmed, I will look forward to bringing parties together, including governors from affected states, to discuss the different points of view and to determine where we can find common ground.

*Question 87.* Resource estimates of the Atlantic OCS are hindered by a lack of data, especially the newer seismic exploration technologies that the industry has developed. Current undiscovered, technically recoverable resources estimate for Atlantic OCS is 3.3 billion barrels of oil and 31.3 trillion cubic feet of natural gas. Do you support allowing the collection of seismic data in these areas, particularly in the Atlantic OCS?

Answer. As I described in my confirmation hearing, I appreciate that to effectively lease public lands, one must have a good idea of the resources that are there. I have been advised that BOEM is taking action to address this, including conducting an environmental review for the mid-and South Atlantic that is necessary to support environmentally responsible seismic surveys; working with the Department of Defense, coastal states, and other stakeholders to address complex space-use conflicts; and working to consider long-range planning for the infrastructure that would be necessary to support exploration and development activity in this region. If confirmed, I would ensure these efforts move forward expeditiously.

*Question 88.* Drilling off of states' coasts and allowing them a larger share of the revenue would encourage more state involvement in drilling decisions. Offshore drilling would promote state and local government participation in allocating funds as well, whether closing a state's deficit or coastal restoration and conservation. What is your position on revenue sharing with states from offshore production?

Answer. I believe that the Department, as steward of our public lands and waters and through rigorous dialogue with stakeholders, must strike the right balance of meeting the interests of local communities and the public owners of these resources as we advance the President's all-of-the-above energy strategy. I have heard from a number of Senators about this issue. Should I be confirmed, I look forward to better understanding the intricacies of the issues involved.

#### MIGRATORY BIRD TREATY ACT

*Question 89.* Do you think it's time that laws like the Migratory Bird Treaty Act, which today protect non-endangered bird populations, are updated to be more in line with and less punitive than the laws we have in place to protect endangered species?

Answer. My understanding is that the Migratory Bird Treaty Act is the implementing legislation for several longstanding international treaties with Canada, Mexico, Japan, and Russia that recognize the international cooperation required to conserve hundreds of species of birds. I believe that, as with all laws, the MBTA should be periodically reviewed in order to ensure that the U.S. continues to fulfill its obligations. It is also important that enforcement practices be consistent and effective.

*Question 90.* The energy industry has experienced operational issues with certain common migratory birds leading to non-compliance enforcement under the Migratory Bird Treaty Act. The threshold for non-compliance enforcement starts as a criminal act when most environmental regulatory enforcement starts as a civil act. What are your thoughts on regulatory and/or legal reforms needed for the enforcement of the Migratory Bird Treaty Act for a non-compliance event from an otherwise lawful commercial activity such as operation and maintenance of power lines or wind turbines?

Answer. If confirmed, I look forward to learning more about the specifics of how MBTA enforcement decisions are made within the Administration. It is my general view that government should work with industry to develop and implement best management practices and reasonable recommendations to minimize the take of migratory birds.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR CANTWELL

*Question 91.* I would like to raise an issue that has people in Southwest Washington concerned: a dispute over National Park Service lands at the Fort Vancouver National Historic Site. Since the mid 1990's, the City of Vancouver and the National Park Service had worked together under a cooperative agreement to make the Pearson Air Museum, which sits on the Historic Site, into a real asset for the local community. I have personally had the opportunity to see the impressive educational programs run at the Air Museum.

Unfortunately, that agreement has now been terminated and negotiations on a new one have stalled. The situation there continues to escalate to the point where the Air Museum is being run by the Park Service without any air exhibits. And the old air exhibits are being stored nearby in a hanger. The local community feels that the Park Service has taken away a valuable asset, in which the community made significant investments.

I would like to be able to call on you, if necessary, to engage in negotiations between the Park Service and the City of Vancouver. Are you willing to work with me to help resolve this issue?

Answer. If confirmed, I would certainly work with you to address these concerns, as appropriate.

*Question 92.* I have been working to pass legislation to compensate the Spokane tribe for the harm done to them by the construction of the Grand Coulee dam for over 10 years. The tribe has only received \$4,700 for the loss of land, villages and access to salmon due to the dam's construction. I am sure that you would agree that \$4,700 was not just and equitable compensation, especially compared to the roughly \$300 million that the Confederated Tribes of the Colville Reservation received from its settlement legislation for similar damage that passed in 1994.

Since I started working on this issue I have been willing to make and have made many changes to satisfy the Department of Interior, its constituent agencies and the Department of Justice, but the Department of Interior has yet to engage in a real dialogue about what needs to be done to gain the support of this Administration. The Department of Interior has continually said it would like to help but have only told me what they oppose, not what it could support.

In 2008 the Department said, "that negotiations to correct several serious issues should continue." And last year Deputy Assistant Secretary Del Laverdure's written



testimony stated that “we would be pleased to work with the committee on substitute language or amendments.”

Are you able to provide an assurance that the Department of Interior, at the highest levels, will constructively engage with my office and the tribe to find legislative language that is mutually acceptable to the tribe and the Department?

Answer. I am aware that the Administration has made a commitment to resolving longstanding disputes with Indian Tribes in a nation-to-nation capacity. If confirmed, I commit that high-level officials at the Department will work with you and the Spokane Tribe on this issue.

*Question 93.* As you know, the Land and Water Conservation Fund (LWCF) is a critical program that provides money for many of the Department’s acquisitions of federal lands for public parks and outdoor recreational use.

Since former Washington state Senator, and Chairman of this Committee, Scoop Jackson, created the fund in 1965, my state has received over 72 million dollars in LWCF grants.

Money from the LWCF’s Stateside Grants Program has been essential in helping states and municipalities secure parks and green space in the rapidly urbanizing west. I’ve heard from many of my municipalities that the small amounts of money awarded in the Stateside Grants Program go a long way in leveraging dollars to permanently protect places that can be enjoyed by local citizens.

As you know, the Land and Water Conservation Fund has been underfunded throughout its nearly 50-year existence. I appreciate the President’s commitment to this program and your own longstanding support of full and reliable LWCF funding for our nation’s pressing conservation and outdoor recreation needs.

Many of my colleagues and I have been working hard to secure dedicated, reliable, long-term funding for this critical program.

a. If confirmed, will you work with the Administration and with Congress to secure the long-term health of LWCF and to ensure that revenues to the Fund are spent for its intended purposes?

b. What do you believe the full consequences of underfunding LWCF have been for our nation’s public lands and national parks?

Answer. As I stated at my confirmation hearing, I believe that the Land and Water Conservation Fund has been critical across the country in terms of bringing resources to bear for conservation and recreation. Conservation of our natural resources—both wildlife and the protection of important lands—and our outdoor heritage, including hunting and fishing, remains essential to Americans’ quality of life and to our economy. If confirmed, I look forward to working with you and other members of Congress on this important issue.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR PORTMAN

##### LWCF

*Question 94.* As Secretary, you would be responsible for the full spectrum of issues, from energy production to wildlife conservation, which the Department addresses across the country. In Ohio, the most visible facet of the Department’s presence is the experience provided at the Cuyahoga Valley National Park, located South of Cleveland, Ohio. The park is host to over 2 million visitors annually, making it one of America’s ten most visited national parks. It would not exist without the Land and Water Conservation Fund, which for nearly 50 years has used federal energy revenues to secure key parklands here and across America. In fact, Ohio recently relied on to preserve sensitive land adjacent to the Cuyahoga Valley National Park.

If confirmed, what would you do to ensure the future of LWCF?

Answer. I noted at my confirmation hearing that I believe that the Land and Water Conservation Fund has been critical across the country in terms of bringing resources to bear for conservation and recreation. Conservation of our natural resources—both wildlife and the protection of important lands—and our outdoor heritage, including hunting and fishing, remains essential to Americans’ quality of life and to our economy. If confirmed, I look forward to working with you and other members of Congress on this important issue.

##### NHA

*Question 95.* National Heritage Areas are key components of the National Park Service since they export the ethic of resource conservation outside the boundaries of traditional park units at a fraction of the cost. The National Park Service was directed to conduct evaluations of 9 National Heritage Areas which sunset on Sep-

tember 30th, 2012 and report back to Congress with recommendations on their future involvement and re-authorization three years ago. If confirmed, will you determine the status of the National Heritage Area evaluations and set a deadline for completing the reports?

Answer. I agree that National Heritage Areas play a vital role in resource conservation at a relatively small cost. If confirmed, I will look into the status of the evaluations of the nine National Heritage Areas that you referred to and determine if there are any issues with completing the reports.

*Question 96.* National Park Service Director Jon Jarvis has been very supportive of National Heritage Areas and advocated for the establishment of a legislative program to make them a permanent part of the National Park Service, what is your position on the role of National Heritage Areas and their relationship to the National Park Service and Department of Interior?

Answer. National Heritage Areas play an important role in the preservation and interpretation of resources that represent our nation's natural and cultural heritage. If confirmed, I look forward to learning more about how the National Park Service and the Department support these areas, and what the National Park Service might be able to do to strengthen and enhance that support.

#### INTERNET LEASING

*Question 97.* In 2009, the Bureau of Land Management (BLM), pursuant to the FY09 Interior Appropriations Act, conducted a study and pilot project of on-line Internet auctions for onshore oil and gas leases on Federal lands entitled the Oil and Gas Lease Internet Auction Pilot (OGLIAP). If confirmed, will you work with Congress to provide BLM permanent authority to conduct Internet auctions for onshore Federal oil and gas leases?

Answer. If confirmed, I look forward to learning more about the pilot project and to capitalizing on any lessons learned from these efforts. You have my commitment to work with you and the members of this committee on broadly applying any lessons learned in the pilot project as appropriate.

#### PERMITTING

*Question 98.* Concerns about the Office of Surface Mining's stream buffer zone rule have been raised by numerous stakeholders, including regulatory agencies in eight coal mining States, the Interstate Mining Compact Commission, and the Western Governors Association. The stakeholders argue that they were given just a few business days to comment on hundreds of pages of material, and when they did provide comments, that their comments were ignored. One state said: "It is as if the comment process has been purposefully designed to avoid a thorough, hard look at the matters being considered." If confirmed, will you commit to genuine and meaningful input from all stakeholders, including the States, in this process?

Answer. As I noted at my confirmation hearing, I have over the course of my career been committed to bringing people together to find common solutions to difficult issues. If confirmed, I commit to working with stakeholders and tribes to ensure that the Department is carrying out its mission in a transparent fashion.

*Question 99.* During your confirmation hearing, you testified that you were committed to finding safe and efficient means to producing natural gas on federal lands. Yes or no, in your opinion, is the Department of Interior currently overseeing natural gas production on federal lands in a safe and efficient manner?

Answer. I think the question presents an issue that is more complex than a simple yes or no response. I believe that in human endeavors, it is always possible to try harder, and it is often possible to do better. New technologies emerge and become more widespread; old technologies fall by the wayside. If confirmed as Secretary, I will commit to you that I will work to make "Can we do better?" a part of the daily dialogue at the Department of the Interior.

*Question 100.* The United States ranks 17th in the world in the time it takes to get a government green light for development—one of ten International Monetary Fund metrics for the "ease of doing business." According to BLM data, it takes on average, 307 days to receive a drilling permit on federal land. And the average time it takes to receive a renewable energy permit is not much better. If confirmed, would you work with Congress to examine DOI's permitting process for energy projects and institute policies to enhance transparency and provide deadline-setting for decisions?

Answer. Coming from the private sector, I understand that businesses need clarity and certainty to operate efficiently. And with on-the-ground experience with oil and gas operations, I agree with this Administration that the energy resources that the oil and gas industry helps to produce are vital to our nation's economy. I also

agree that it is important that development of our nation's energy resources is conducted in a safe and environmentally responsible manner. I understand the BLM is undertaking efforts to reduce permitting times for both conventional and renewable energy development. If confirmed, I will continue to strive toward maximizing program efficiency and to ensure the best business practices are implemented.

*Question 101.* If confirmed, will you work with your colleagues at EPA, Commerce and USDA to reduce the duplicative nature of pesticide reviews?

Answer. If confirmed, I will commit to working with my colleagues at the Environmental Protection Agency, the Department of Commerce, and the U.S. Department of Agriculture to ensure that we are implementing our respective authorities as efficiently as possible and explore potential opportunities to increase efficiencies.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR LANDRIEU

##### RESTORE ACT IMPLEMENTATION

*Question 102.* As Secretary of the Interior, you would sit on the Gulf Coast Ecosystem Restoration Council, which was established by Congress in the RESTORE Act as included in last year's transportation bill (P.L. 112-141). That Council is tasked with creating a comprehensive plan for ecosystem restoration in the Gulf. What role do you intend to play on this Council and in the development of the comprehensive plan, and what other ideas do you have about the Department of the Interior's role in the sustained Gulf Coast restoration effort?

Answer. I certainly recognize and appreciate the devastating impacts the Deepwater Horizon oil spill had on the state of Louisiana and on the Gulf Coast region, at large. The Department manages significant public assets in the Gulf of Mexico region. Should I be confirmed, I look forward to serving as a member of the RESTORE Council and commit to ensuring that, together with other members of the Council, a strong comprehensive plan is developed with stakeholder engagement that invests RESTORE funds wisely to achieve long-lasting, meaningful restoration. I commit to working along with the states, the affected communities, other agencies, and the Congress in these efforts.

##### RIGS TO REEFS

*Question 103.* Following the useful life of an oil and natural gas platform, operators are required by law under the terms of their leasing agreements with the federal government to remove platforms that are no longer producing. Leaving idle platforms in place puts them at risk for loss which potentially compromises the safety of the marine environment for all users and poses risks to navigation and surrounding infrastructure. The oil and natural gas industry helped develop the existing "Rigs-to-Reefs" programs as a tool for preserving and maintaining valuable habitat. Under this program the industry has reefed over 400 Gulf of Mexico platforms over the past 25 years. Several stakeholders in the Gulf of Mexico have called attention to the permitting process, the number of and location of reef planning areas and reefing sites among other things. As a result, several workshops and roundtables have taken place to identify stakeholders' concerns. Will the Interior Department continue to work with stakeholders to make the needed improvements to the Rigs to Reefs program to ensure its continued use as a tool for the safe decommissioning of idle platforms?

Answer. I understand that the Department is and will remain committed to state and stakeholder engagement on the Rigs-to-Reefs issue to reconcile multiple uses on the Outer Continental Shelf while protecting the environment, reducing risks, and ensuring companies meet their statutory and contractual obligations. If confirmed, I look forward to working with you on this issue.

##### OFFSHORE ACCESS

*Question 104.* The most recent Five Year plan (2012-2017) excluded any new areas of the Outer Continental Shelf (OCS) and instead only has leases in those areas that have been explored and produced for decades. What is your view of expanding offshore oil and natural gas exploration into areas that have not been explored in decades such as the Atlantic OCS and the Eastern Gulf of Mexico? Do you support allowing the collection of seismic data in these areas, particularly in the Atlantic OCS where the data is several decades old and during that time technology has improved? If a governor of a state expresses interest in allowing offshore oil and natural gas development off its coast as part of the 5-year OCS leasing plan development process, would you honor that request and schedule a lease sale?

Answer. As discussed at my confirmation hearing, I have a commitment to the president's "all of the above" energy strategy, increasing our nation's production—

of both traditional and renewable sources of energy on our public lands, implementing innovative technologies and new frontiers, onshore and offshore, encouraging safe and responsible development of our resources.

I am supportive of the Department's work to do a more thorough assessment than has been done on the resources of the Atlantic OCS so that we understand those resources and can work alongside both states and federal OCS lands to explore their development, if appropriate. I'm not familiar on a state by state basis with the issues surrounding OCS lands, but I do understand from speaking with the people at the Department that there is work planned to better understand the resources off the Atlantic coast, so that the next time a five-year plan is considered, that they could possibly be considered within that new plan. With regard to the Eastern Gulf of Mexico, I understand that an act of Congress may be needed before exploration or development activities could occur there.

As a general matter, I believe that when we look at developing energy sources it is essential to bring parties, including representatives from affected states, localities and tribes to the table and try to reach agreement on difficult issues. And, if confirmed, I will look forward to bringing parties together to discuss the different points of view and to determine where we can find common ground.

*Question 105.* The president as you may know signed an Executive Order in 2010 outlining a new National Ocean Policy. How do your duties/powers under the OCS Lands Act work in relation to the National Ocean Policy which seems to put more power in the hands of regional ocean management bodies that will produce coastal and marine spatial plans that by Executive Order, you as the Interior Secretary are instructed to follow?

Answer. It is my understanding that nothing in the National Ocean Policy changes existing federal laws or regulations. Rather, the policy is designed to improve agency decision-making, reduce delays and save taxpayer dollars consistent with existing agency missions and authorities. If confirmed, I look forward to working with my colleagues within the Department and the Administration to ensure that the implementation of the National Ocean Policy is consistent with the responsibilities provided to the Secretary of the Interior under the Outer Continental Shelf Lands Act and other applicable laws.

#### CONSERVATION CORPS

*Question 106.* Under authority of the Public Lands Corps Act of 1993 and other statutory authorities, the Administration has taken direct action to establish the National Council for the 21st Century Conservation Service Corps. The Senate ENR Committee is working on amendments to the Public Lands Service Corps Act that are complementary to that action. Given these actions as well as the recent NPS study showing that partnering with Conservation Corps to get projects done results in more than a 50% cost savings, what do you think (from both Interior point of view and an economic point of view) on expanding opportunities for youth to accomplish necessary work on public lands through partnerships with conservation corps programs?

Answer. I support the Administration's position on the importance of expanding opportunities for youth to work in our national parks, national wildlife refuges, and public lands. If confirmed, I look forward to working with you and members of Congress on this important issue.

#### WILD HORSES

*Question 107.* In the past, the Bureau of Land Management (BLM) has consistently failed to live up to its own management goals to place the agency's Wild Horse and Burro program onto a sustainable fiscal course. The agency continues to place animals into costly holding facilities and has come short on its own goals with the number of mares treated with immunocontraception, which would present a less expensive and more cost-effective alternative to holding facilities. Moving forward, how do you plan to ensure that the BLM is on the right fiscal path in reducing the number of animals in holding facilities and meeting its goals with on-the-range management techniques like immunocontraception?

Answer. Although I am not familiar with the details of the BLM's holding facilities or on-the-range management techniques, I know this is an issue about which you feel passionate. I have been told that the program's costs have increased over the years to address management needs and that the BLM is continuing research to find effective on-the-range population control techniques. I am also committed to exploring other strategies to control population and reduce holding costs. If confirmed, I look forward to working with you on cost effective and ecologically sustainable strategies for maintaining healthy herds and rangelands.

RESPONSES OF SALLY JEWELL TO SUPPLEMENTAL QUESTIONS  
FROM SENATOR LANDRIEU

OFF-RESERVATION GAMING

*Question 1.* As you are aware, the Department of Interior is responsible for processing applications from Native American Tribes to take off-reservation land into trust for gaming purposes. Although competition is good among tribes, some have argued that off-reservation gaming is simply “reservation shopping” and results in the construction of tribal casinos near urban areas and is an abuse of the land into trust process.

What is your view on off-reservation gaming?

Answer. I understand that gaming is an important component of economic development for some tribal governments. I have been informed that it is rare for the Department to take off-reservation land into trust for the purpose of Indian gaming. If confirmed, I would adhere to the Indian Gaming Regulatory Act’s requirements and the Department’s regulations.

*Question 2.* 25 C.F.R. § 151.11(b) provides that the Secretary shall consider the following requirements in evaluating tribal requests for the acquisition of lands in trust status, when the land is located outside of and noncontiguous to the tribe’s reservation, and the acquisition is not mandated:

\* \* \*

(b) The location of the land relative to state boundaries, and its distance from the boundaries of the tribe’s reservation, shall be considered as follows: as the distance between the tribe’s reservation and the land to be acquired increases, the Secretary shall give greater scrutiny to the tribe’s justification of anticipated benefits from the acquisition. The Secretary shall give greater weight to the concerns raised pursuant to paragraph (d) of this section.

(Emphasis added.)

What is your understanding of how the Department applies the “greater scrutiny” and “greater weight” factors under 25 C.F.R. § 151.11(b) to off-reservation land into trust acquisitions for gaming purposes?

Answer. I have been informed that “greater scrutiny” generally entails a closer and thorough examination of the facts and whether the application of those facts meets the requirements of the law. If confirmed, I am committed to fully and fairly implementing the law and the Department’s regulations.

*Question 2A.* Given the inherent ambiguity in the terms “greater scrutiny” and “greater weight”, would you consider issuing any guidance on these factors?

a. If so, would you defer processing pending applications for off-reservation land into trust for gaming purposes until issuing these guidelines?

i. If not, why not?

b. If you would not consider issuing any guidance on this issue, why not?

Answer. If, in my duties, I determined that further clarification was warranted to implement the law, I would work closely with the Assistant Secretary of Indian Affairs to consider issuing additional guidance. In issuing guidance, I would take steps necessary to adhere to the Department’s fee-to-trust regulations. It is important to note that such guidance or clarification would have significant tribal implications. Therefore, I would commit to consulting with affected Indian tribes prior to the issuance of any guidance.

*Question 3.* In recent years, a number of Tribes have proposed building tribal casinos hundreds or thousands of miles from their existing reservation. Do you think there should be any limitation on the distance a Tribe can develop a casino away from its existing reservation?

A. If so, what distance would you propose?

a. If not, why not?

Answer. I have been informed that it is rare for the Department to take off-reservation land into trust for purpose of Indian gaming. I understand that regulations promulgated in 2008 include certain factors such as distance that are given consideration when making these decisions, but that any particular factor taken alone may not be determinative. Each tribal gaming application is reviewed on a case-by-case basis and the relevant factors are weighed according to the unique circumstances facing each tribe and all affected communities. If confirmed, I would ad-

here to the Indian Gaming Regulatory Act's requirements and the Department's regulations.

B. Would you propose issuing any guidance on this issue?

a. If not, why not?

Answer. If, in my duties, I determined that further clarification was warranted to implement the law, I would work closely with the Assistant Secretary of Indian Affairs to consider issuing additional guidance. In issuing guidance, I would take steps necessary to adhere to the Department's fee-to-trust regulations. Any such guidance or clarification would have significant tribal implications; therefore, I would also commit to consulting with affected Indian tribes prior to the issuance of any guidance.

C. Commutable distance has been defined by the Department of the Interior as the distance a reservation resident could reasonably commute on a regular basis to work at a tribal gaming facility located off-reservation. Would you treat land into trust applications for gaming purposes that exceed the commutable distance differently from land into trust applications for gaming purposes that do not exceed the commutable distance?

a. If so, how would you treat the two different types of applications differently?

b. If not, why not?

Answer. I have been informed that in 2008, the Department adopted regulations regarding gaming on lands acquired in trust after the enactment of the Indian Gaming Regulatory Act. I understand that the factors contained in the regulations include the consideration of distance. It is my understanding that any particular factor taken alone, including distance, may not be determinative. Each tribal gaming application is reviewed on a case-by-case basis and the relevant factors are weighed according to the unique circumstances facing each tribe and all affected communities. If confirmed, I am committed to implementing the law and the Department's regulations.

*Question 4.* Some people argue that Tribes should only be able to build off-reservation tribal casinos on land where they have a historical connection. Do you think that Native American Tribes should be required to show a historical connection to any location where they intend to build an off-reservation casino?

Answer. I have been informed that in 2008, the Department adopted regulations regarding gaming on lands acquired in trust after the enactment of the Indian Gaming Regulatory Act. I understand that regulations promulgated in 2008 include certain factors such as historical connection that are given consideration when making these decisions but that any particular factor taken alone may not be determinative. Each tribal gaming application is reviewed on a case-by-case basis and the relevant factors are weighed according to the unique circumstances facing each tribe and all affected communities. If confirmed, I am committed to implementing the law and the Department's regulations.

*Question 4A.* If so, what factors would you consider in determining whether a historical connection exists?

Answer. I have been informed that in 2008, the Department adopted regulations regarding gaming on lands acquired in trust after the enactment of the Indian Gaming Regulatory Act and that the regulations include consideration of certain factors such as historical connection but that any particular factor taken alone may not be determinative. If confirmed, I am committed to implementing the law and the Department's regulations.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR SCHATZ

*Question 108.* Native Hawaiians are the only federally-recognized Native peoples without a government-to-government relationship with the United States. I appreciate the preliminary discussions we have had on this issue, including how we might work together with the Hawaii Congressional Delegation, Native Hawaiian leadership, and other stakeholders to address this lack of parity. Can Native Hawaiians count on your support should you be confirmed as Secretary of Interior to provide a true avenue for reconciliation?

Answer. I know that this Administration supports a legislative solution to recognize a Native Hawaiian governing entity. If confirmed, I look forward to working with you, the members of the Hawaii Congressional Delegation, Native Hawaiian leadership, and other stakeholders to find a thoughtful and reasonable approach to recognize a Native Hawaiian governing entity.

*Question 109.* National parks, wildlife refuges, and other conservation lands are significant to our nation—environmentally, culturally, and historically. With that in mind, I support Chairman Wyden’s plan to advance a parks bill this Congress. I know you have firsthand knowledge of public lands across the nation including those in my home state. Can you please address why Hawaii’s public lands are important to both local and national interests.

Answer. The Hawaiian Islands contain a wealth of natural resources, including the well-known geological features and plant and animal species found nowhere else in the world and cultural resources important to native Hawaiians, as well as others. The lands managed by federal agencies help protect and preserve these resources. Hawaiians benefit from the preservation of their own natural and cultural heritage and from the tourism these protected lands attract. All Americans benefit from ensuring that these nationally significant resources will be available to future generations.

*Question 110.* Following World War II, Micronesia, the Marshall Islands, and Palau were placed under the trusteeship of the United States, and within the last thirty years, entered into Compacts of Free Association with the United States. This allows migrants to travel to the United States without obtaining visas and benefit from various domestic programs including health care services. Medicaid reimbursements for Compact immigrants ended with the passage of the 1996 welfare reform bill, resulting in strained state budgets working to cover uncompensated health costs. Hawaii bears much of the cost of health services given our state’s proximity to the COFA States. The state spent approximately \$114 million on all services offered to Compact migrants in 2010, including health care benefits.

As Lieutenant Governor, I worked on this issue and received commitments from Secretaries Salazar, Clinton, and Napolitano to work together to mitigate this unfair burden on my state. Will you commit to partnering with me to address this issue to ensure that the Federal government meets the commitment it made to Compact migrants?

Answer. I am aware that this is an important issue for the State of Hawaii, and I look forward to learning more about it. If confirmed, I will work with you, other members of the Hawaiian Congressional Delegation, other federal agencies, affected areas, and the freely associated states to mitigate Compact impacts.

*Question 111.* It is estimated that outdoor recreation is responsible for \$646 billion of economic contribution, but we don’t hear much about how roughly 40% of those dollars are generated by motorized recreation. Motorized recreation obviously relies heavily on access to trails and roads on public lands. In 2006 you lent support to the Governor of Washington State’s efforts to oppose flexibility for the Roadless Area Conservation Rule. What, exactly, was your concern with the Bush Administration’s proposal to give states more input in how public lands are managed, particularly as it relates to roads and trails?

Answer. The Outdoor Industry Association engaged with the motorized outdoor recreation industry to include motorized recreation’s important contributions to the economic impact of outdoor recreation in our country. Last year, I joined with leaders of the motorized community in announcing the results of this report at a meeting of the Western Governors Association. In 2006, when I joined Washington’s governor at an event discussing the Roadless Rule, it was my understanding that this did not change existing allowed motorized access to these lands. As with all decisions regarding the multiple uses of our public lands, decisions must be made where motorized recreation should and should not be allowed on a case-by-case basis.

*Question 112.* As we have discussed, the mining industry is very important not only for Nevada, but for our nation. Mining provides key materials critical to U.S. manufacturing and economic growth. Unfortunately, the length of time it takes to get a permit to mine on federal land in this country is generally twice as long as in other major mining countries with similar environmental standards—it can take up to ten years. This puts us at a competitive disadvantage when trying to attract domestic investment and it increases our reliance on foreign sources of the building blocks necessary to our economy. Will you commit to reviewing the mine permit process and take steps to make permitting more efficient and the US mining industry more competitive?

Answer. As I mentioned at the confirmation hearing, coming from the private sector, I understand that businesses need clarity and certainty—particularly certainty about what the rules are. If confirmed, I will work to ensure that mining permits are processed in a manner that follows legal requirements, including those set out in the National Environmental Policy Act, and that maximizes interagency efficiencies.

*Question 113.* Mining companies in my state say that DOI’s clearance process for notices adds roughly a year to the already cumbersome permitting process that, as

mentioned above, can already take up to ten years. In Nevada we can point to instances where mining project notices have waited over a year for Washington DOI staff to complete notice reviews—only to have no changes made between transmittal from the BLM state office to publication in the Federal Register. The delays and other uncertainties regarding the permitting process have contributed to an all-time low amount of mineral exploration dollars being invested in the United States and increased reliance on foreign supplies of minerals. For context, one mining company indicated that, for each month of delay, the company loses over \$1 million in net present value. We need to limit bureaucracy and end delays that result in lost federal, state and local revenues, fewer jobs, and lost opportunities. I have authored legislation to address this problem that would give DOI 45 days to complete the Washington review. If the review is not completed within the timeframe, the notice is deemed approved and the State BLM Office will send it directly to the Federal Register for publication. Will you commit to reviewing and improving this process, either by supporting my legislative proposal, returning the authority for these approvals to state BLM offices, or finding another mechanism to end needless and lengthy red-tape to the permitting process on public lands?

Answer. As I mentioned in the response to the previous question and at my confirmation hearing, I believe clarity and certainty are important for efficient business operation. If confirmed, I look forward to working with the BLM to maximize program efficiency and will work to ensure the best business practices are implemented.

*Question 114.* The federal mineral estate comprises over 700 mineral acres, much of which is managed by the Department of the Interior. A key component of DOI's mission and strategic plan is to provide America with access to energy and minerals to promote responsible use and sustain our economy. Yet, despite the energy- and mineral-rich potential of our federal lands, approximately half of the federal mineral estate is either off-limits or under restrictions for mineral development. If you become Secretary of the Interior, how do you intend to ensure the department meets this particular goal?

Answer. As I mentioned at my confirmation hearing, I believe we must take a balanced approach to all of the multiple uses of our public lands. Throughout my business career, my approach has been to bring together people who have different interests in an issue to help work out those differences. With regard to the use of public lands, regardless of whether it is hunters or anglers, mountain bikers, OHVs, mineral companies or others, it is important to get people to the table to work together to find common ground. If confirmed as Secretary, I commit to bringing that attitude and approach to the Department of the Interior.

*Question 115.* To follow up on our discussion yesterday regarding sage grouse habitat and wildfires, if you are confirmed, will you prioritize efforts to restore ecosystems and prevent wildfires? Will you actively support the treatment of public lands both to protect important habitat before and after wildfires start? Would you support giving Nevadans the tools to prevent the spread of fire to important sage grouse habitat, such as allowing a rancher to put out a fire on an allotment before it spreads out of control?

Answer. As I noted at the hearing, I have not yet had the opportunity to become familiar with all of the details about wildfire management, including the BLM rules to which you referred at the hearing. However, you have my commitment that, if confirmed, I will look into this issue. I look forward to working with you and other members of Congress on addressing the issue in the future.

*Question 116.* As it relates to our previous discussions regarding the sage grouse, can I have a commitment from you that you will work with us to make sure that home-grown Nevada solutions will be used to prevent an ESA listing for the sage grouse in Nevada?

Answer. If confirmed, I am committed to supporting both the conservation of Western wildlife and development of economic opportunities by supporting the Administration's ongoing work with the affected states, tribes, industry and other stakeholders. In general, I am sensitive to the concerns of farmers, ranchers, industry, private landowners, and other stakeholders with regard to proposed ESA listings and I believe that voluntary conservation agreements can help provide for species and habitat protection while giving stakeholders the flexibility needed to operate and reduce costs. If confirmed, I commit to working with states, tribes and other stakeholders to find ways to protect key wildlife habitat while ensuring that this and all ESA listing decisions are made based on the best available science.

*Question 117.* In Nevada, and across the country, the cost to permit events and activities on public lands has skyrocketed. For example, events hosted by non-profit organizations are being charged tens of thousands of dollars for permits that used to cost hundreds of dollars. This clearly discourages recreation on public lands. As



a recreation advocate, do you think policies like excessive cost-recovery fees are good or bad for encouraging use and enjoyment of our public lands? Do you think we should have policies in place that encourage a variety of recreational uses of our public lands? What role do you see the expiration of Federal Lands Recreation Enhancement Act playing in issues surrounding the cost of recreating on public lands?

Answer. As I mentioned at my confirmation hearing, I support multiple use of our federal lands and agree with you that policies should encourage recreational use of federal lands. While I am not familiar with the specific programs, I am aware that Interior agencies collect funds from permittees and others for certain recreational activities on federal lands. I understand that a majority of recreation fees are reinvested for the benefit of visitors at the collection site. If confirmed, I look forward to learning more about these programs and working with you and members of Congress on these important issues.

*Question 118.* Lake Mead is infested by quagga and zebra mussels. Given the consequences of infestation of these invasive species, what do you think the National Park Service can do to stop the proliferation of quagga and zebra mussels, particularly from moored watercraft without negatively impacting concessionaires?

Answer. I know that invasive species are a growing problem in some of our Western waterways. I have been advised that the National Park Service currently carries out a multi-pronged effort to curb the spread of quagga mussels, including working to ensure inspection and cleaning of boats, outreach efforts, and better cooperation with state regulatory authorities. I am also aware that the NPS is working with the Nevada Department of Wildlife, the Arizona Game and Fish Department, other Departmental bureaus, universities, and private companies to identify the best control methods, improve monitoring techniques, improve information management operations, and secure resources to support these efforts. If confirmed, I will ensure that the NPS and other bureaus within the Department continue to focus on these important efforts.

*Question 119.* Last year, the Nevada Association of Counties wrote to Department of the Interior leadership regarding wild horses. They never received a response. Will you, please, see to it that they get a response in a timely fashion?

Answer. Yes. If confirmed I will see to it that a response is provided.

*Question 120.* In the past, what criteria have you used to determine what activities are a threat to what you believe are special places?

Answer. As a retailer with a broad array of customers who frequently share different opinions on issues and enjoy a wide-range of activities, REI respects that "special places" are defined differently by different people. On occasion, where activity conflicts have arisen, REI has acted as a convener, bringing people together to build a common understanding of each other's positions to work towards a solution that respects differing points of view. If confirmed, I will bring that same inclusive philosophy to the Department of the Interior.

*Question 121.* Do you believe that the BLM does a good job at managing/protecting public lands? If so, what is the necessity of designating an area as a National Monument? Land managers already have the necessary tools available to protect and preserve our public lands, and are required to work with all stakeholders as they develop management plans. Do you think it is the wisest use of federal time and resources to undercut existing processes by using Administrative action to functionally take management tools away from managers and to forgo engaging the public?

Answer. Both Republican and Democratic presidents have designated over 130 National Monuments in order to protect and conserve objects of historic or scenic interest at some of America's most special places. If confirmed, I am committed to continuing this Administration's public engagement and the involvement of local communities as an important part of considering any new designation.

*Question 122.* DOI has made a habit of holding what are referred to as "public meetings," that do not represent the broad array of stakeholders. Will you commit that, if confirmed, you and your staff will make every practical effort—which includes reaching out to relevant local officials—to engage a true representation of stakeholders for any public meeting that you or your staff arrange and hold?

Answer. If confirmed, I commit to engaging with a broad array of stakeholders in the decision-making process.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR BARRASSO

*Question 123.* Please provide a list of all policy positions, legal actions or threats of legal action, press releases, policy analyses, public statements, or public comments (including but not limited to public comments submitted during any rule-making or environmental review process) made by the National Parks Conservation

Association (NPCA) during the time you served as a member of the board of trustees with which you disagreed or took an opposing view.

Answer. The NPCA was established in 1919, just three years after the creation of the National Park Service. I joined the NPCA board because I believe in its overall mission: To protect and enhance America's National Parks for present and future generations. As a general policy, the roughly thirty bipartisan members of the NPCA board do not vote on or approve each policy position, legal action, press release, public statement, or public comment. Therefore, it would not be possible for me to say that I completely agreed or disagreed with every such activity by the NPCA.

*Question 124.* Please provide a short explanation of what action you took as a member of the board, if any, to articulate your disagreement with the policy positions, legal actions, press releases, policy analyses, public statements, or public comments (including but not limited to public comments submitted during any rule-making or environmental review process) made by NPCA or officials with NPCA.

Answer. As mentioned in my previous answer to Question 1, as a general policy, the roughly thirty bipartisan members of the NPCA board do not vote on or approve each policy position, legal action, press release, policy analyses, or public comment. Therefore, it would not be possible for me to say that I completely agreed or disagreed with every such activity by the NPCA.

*Question 125.* Please provide a list of all policy positions, legal actions or threats of legal action, press releases, policy analyses, public statements, or public comments (including but not limited to public comments submitted during any rule-making or environmental review process) made by NPCA during the time you served as a member of the board of trustees with which you now disagree or oppose.

Answer. As mentioned in my previous answers, as a general policy, the roughly thirty bipartisan members of the NPCA board do not vote on or approve each policy position, legal action, press release, public statement, or public comment. Therefore, it would not be possible for me to say that I completely agree or disagree with every such activity by the NPCA.

*Question 126.* In his State of the Union Address, President Obama said that his "administration will keep cutting red tape and speeding up new oil and gas permits." If confirmed, what would you do to speed up oil and gas permitting on Federal public lands? Please address whether you would: (1) expedite the leasing process; (2) expand the use of categorical exclusions under NEPA; (3) eliminate the requirement for Master Leasing Plans; and (4) deploy "strike teams," such as those used in North Dakota, to reduce permitting backlogs.

Answer. Coming from the private sector, I understand that businesses need certainty. From my on-the-ground experience with oil and gas operations, I agree with this Administration that the energy resources that the oil and gas industry helps to produce are vital to our nation's economy. I also agree that development of our nation's energy resources must be conducted in a safe and environmentally responsible manner. I understand that at the President's direction, Secretary Salazar has instituted reforms to the BLM's oil and gas leasing programs, and that leasing reforms have included an improved methodology for permit processing. If confirmed, I will continue to strive toward maximizing program efficiency to ensure that best business practices are implemented to efficiently process pending permit applications consistent with safety and environmental requirements.

*Question 127.* BLM prepares a separate environmental impact statement (EIS) for uranium production that duplicates the EIS prepared by the Nuclear Regulatory Commission (NRC), acting as the lead agency, and BLM, acting (at least ostensibly) as a cooperating agency. A. Is it a reasonable use of BLM's financial and human resources to prepare duplicative EISs when there is a memorandum of understanding that clearly defines BLM as a cooperating agency for an EIS prepared by the NRC? B. If confirmed, will you end the practice of BLM preparing duplicative EISs and direct BLM to fully engage the NRC in the preparation of its EIS? If not, why not?

Answer. While I do not know the specifics of this issue, my experience in business has been to try to increase efficiencies in processes that save both time and money. If confirmed, I would seek to do this at the Department of the Interior and its bureaus. I would also work with others in the Administration to streamline processes, within statutory and regulatory requirements, with other federal agencies.

*Question 128.* Over the last few years, the Department has expedited environmental impact statements under NEPA for a number of large scale renewable energy projects on Federal public lands. If confirmed, what steps, if any, would you take to expedite environmental impact statements for large scale coal, oil and gas, and uranium projects on Federal public lands.

Answer. As I stated in response to the previous question, I would seek efficiencies to processes that save both time and money, streamline processes both at the Department of the Interior and its bureaus and with other federal agencies. I understand the importance of providing certainty when it comes to making land management decisions that affect the private sector and the public. If confirmed, I will work within the public processes of the National Environmental Policy Act and fully engage elected officials, industry, and all of the many and varied users of the public lands to address the need for robust domestic energy production.

*Question 129.* Do you support the production of oil from oil shale on Federal public lands, such as those in the Green River Valley in the States of Wyoming, Utah, and Colorado? If so, what steps, if any, will you take to encourage research, development, and demonstration of new oil shale production technologies on Federal public lands?

Answer. I am hopeful that the current research, development and demonstration leases issued by the Department will help to answer questions that remain about commercial scale oil shale development. If confirmed as Secretary, I would work to ensure that lessons learned from the existing RD&D leases are fully incorporated into any decisions about the future of the oil shale program.

*Question 130.* What role, if any, do you believe low-sulfur coal from the Powder River Basin should play in our nation's energy portfolio?

*Question 131.* What role, if any, do you believe low-sulfur coal from the Powder River Basin should play in the world's energy portfolio?

Answer to 130 and 131. I support the President's "all of the above" energy strategy and that the continued development of conventional energy sources, including coal, remains an integral part of that mix. If confirmed, I pledge to ensure the responsible development of our nation's coal resources while protecting the environment on which our communities depend for their health, safety and way of life.

*Question 132.* Delays in publishing notices in the Federal Register has discouraged investment and job creation on Federal public lands. This is particularly true in the context of coal and hardrock mineral production. These delays are a result of an existing administrative requirement that BLM State, District and Field Offices obtain approval from the BLM Washington Office before submitting notices for publication. If confirmed, what steps, if any, will you take to ensure notices are published in the Federal Register in a timely manner?

Answer. As I have mentioned previously, I believe clarity and certainty is important for efficient business operation. If confirmed, I look forward to working with the BLM to maximize program efficiency and will ensure that best business practices are being utilized.

*Question 133.* If confirmed, will you merge the Office of Surface Mining and the Bureau of Land Management? If so, please explain in detail the costs incurred as well as the savings expected in merging the two agencies. Please also explain the impacts, if any, to the Abandoned Mine Land program.

Answer. It is my understanding that the Department has no plan to merge OSM and BLM, but is working to maximize administrative efficiencies between the agencies. If confirmed, I will ensure that the Department will keep you informed.

*Question 134.* On January 19, 2013, the following public comment was submitted to the U.S. Army Corps of Engineers on the proposed Gateway Pacific Terminal/Custer Spur: "We are members of Grand View Beach Water Association, the first residential community downwind and downshore from Cherry Point, on Point Whitehorn. Our domestic water well, 112 feet deep, has served us, currently 15 families, great water over many decades. We are concerned about the negative impacts of a huge coal terminal and the fugitive toxic coal dust it will spread to our well area. We are also concerned about ground water intrusion carrying toxic pollution from the millions of gallons of water that would be used to water down the coal piles. The elevation of the coal piles would be only 30 to 40 feet above the level of our water source. Please study the impacts of the potential ground water pollution of our water source. Thank you. President Scott Slagle, Diane Slagle, Sec. Rick Hann, Sally Jewell, Lynne and Brian Thompson, Kristen Ginchereau, Sharon Bridges, Bruce and Lynne Shelton, and others." Are you the Sally Jewell referenced in this public comment? (If so, I reserve the right to ask additional questions on matters related to coal export terminals.)

Answer. No. I have no knowledge of this organization.

*Question 135.* As Secretary you will oversee the Bureau of Land Management. The BLM has a multiple use mission as set forth in the Federal Land Policy and Management Act of 1976 to manage public land resources for a variety of uses, such as energy development, livestock grazing, recreation, and timber harvesting. What actions are you going to take as Secretary to ensure that the BLM meets this statutory multiple use mandate?

Answer. As I noted at my hearing, I believe we must take a balanced approach to all of the multiple uses of our public lands. Throughout my business career, my approach has been to bring people who have different interests in an issue together to help work out those differences. With regard to the use of public lands, regardless of whether it is hunters or anglers, mountain bikers, OHVers, oil and gas development companies, or others, it is important to get people to the table to work together to find any common ground. If confirmed as Secretary, I commit to bringing that attitude and approach to the Department of the Interior.

*Question 136.* Do you perceive uses of public lands have an order of priority? Please describe your philosophy regarding your congressionally mandated responsibility to manage for multiple-uses on public lands.

Answer. I am aware that the Federal Land Policy and Management Act of 1976 (FLPMA) directs the BLM to manage the nation's public lands on the basis of multiple use and sustained yield so that they are utilized in ways that best meet the present and future needs of the American people. If confirmed as Secretary of the Interior, I intend to fully carry out the direction in FLPMA. As I indicated during my confirmation hearing, in exercising my authority on these matters I think that it is important to look at issues on a case-by-case basis and to understand and appreciate the multiple uses of the lands involved and their value to the users, the local communities, the region, and our nation.

*Question 137.* Multiple use clearly means use (such as ranching, mining, oil and gas development, timber production, all forms of recreation, etc.) in addition to scenic and conservation purposes. How do you define multiple use and sustained yield beyond the statutory definition?

Answer. I am aware that FLPMA defines multiple use management on federal lands to allow for management in perpetuity for the benefit of present and future generations. Millions of acres are managed under FLPMA for varied uses that reflect local, regional, and national interests. Each area has a unique set of resources and relationship with the American people, and some areas are subject to further direction by Congress, the President, or the Courts. If confirmed, I look forward to applying my varied career experiences to ensure that we meet the challenges and promise of multiple-use management on our nation's public lands.

*Question 138.* What role do you believe state and local governments play in defining the appropriate multiple use and sustained yield standard within their jurisdictions?

Answer. As I mentioned during my confirmation hearing, I am committed to public engagement and connecting with state and local communities. The Department of the Interior and the BLM seek and welcome input from cooperating agencies, such as state, tribal and local governments, during the land-use planning process and in the course of evaluating other land use and resource management decisions. If confirmed, I look forward to working with a variety of partners in the management of the nation's public lands.

*Question 139.* Do you believe we are moving away from multiple use to single use management of our public lands?

Answer. As I noted in response to a previous question, millions of acres are managed under FLPMA for varied uses that reflect local, regional, and national interests. Each area has a unique set of resources and relationship with the American people, and some areas are subject to further direction by Congress, the President, or the courts. If confirmed, I look forward to applying my varied career experiences to ensure that we meet the challenges and promise of multiple-use management on our nation's public lands.

*Question 140.* BLM managers undertook a review of Wilderness Study Areas and found many of these areas unsuitable for designation as wilderness; however, these lands continue to be managed in a restrictive fashion as WSAs. As Secretary, would you support the clear direction and recommendations of BLM officials to release these areas to allow for suitable management for multiple uses?

Answer. It is my understanding that only Congress can resolve the status of Wilderness Study Areas (WSAs). If confirmed, I would welcome the opportunity to work cooperatively with Congress toward a thoughtful, constructive resolution of wilderness designation and WSA release that reflects current local conditions, community interests, and national priorities.

*Question 141.* On December 23, 2010, Secretary Salazar announced Secretarial Order 3310 in front of REI's flagship store in Denver. This order created the Wild Lands policy which would restrict multiple-use access to Federal public lands. Congress has since defunded the Order. However, the Order is still on the books. If confirmed, will you commit to officially withdrawing the defunded Secretarial Order?

Answer. I understand that, in response to the congressional action, Secretary Salazar confirmed that the BLM will not designate any lands as Wild Lands under

Secretarial Order 3310, and that the provisions in that order regarding the designation of Wild Lands are not operative and cannot be implemented. I intend to uphold Congress' direction with respect to this Secretarial Order.

*Question 142.* On May 24 of last year, Interior Secretary Salazar signed Secretarial Order 3321 establishing the "National Blueways System." This system, according to the Secretarial Order would—

"provide a new national emphasis on the unique value and significance of a 'headwaters to mouth' approach to river management and create a mechanism to encourage stakeholders to integrate their land and water stewardship efforts by adopting a watershed approach."

The Order goes on further to state that it authorizes the establishment of an "intraagency National Blueways Committee to provide leadership, direction, and coordination to the National Blueways System."

Do you support the use of Secretarial Orders to create new land and water designations?

If confirmed, will you commit to immediately repeal Secretarial Order 3321?

If confirmed, will you in the future bring such proposals to Congress that create new land and water designations so that we may consider them through the normal committee process and with public transparency?

Answer. As I stated at my hearing, if confirmed, I commit to bringing multiple stakeholders to the table, and to ensuring that the actions I take are well informed, transparent, fair, and accountable.

*Question 143.* Federal law is commonly viewed under this hierarchy: (1) the U.S. Constitution, (2) federal statutes, (3) executive orders, and (4) agency rules and regulations. However, a fifth general classification has come to exist and permeate the executive branch: guidance documents. Guidance documents include Secretarial memorandums, Secretarial orders, manuals, handbooks, policy initiatives, legal counsel opinions and legal interpretations, and other similar documents. What are your viewpoints with regard to this hierarchy, specifically the role of Congress to establish policy, and the role of agency guidance?

Answer. I understand that agency guidance documents serve a necessary, but limited function addressing technical issues or providing additional context regarding statutory or regulatory issues. Guidance documents can frequently provide certainty and clarity for industry and other interested parties. Used properly, guidance documents can help channel the discretion of agency employees, increase efficiency, and enhance fairness by providing the public clear notice of agency policy while ensuring equal treatment of similarly situated parties. If confirmed, I would follow applicable standards for the development of guidance documents that are well informed, transparent, fair, and accountable.

*Question 144.* It has been reported you personally contacted Senators and asked for full funding for the Land and Water Conservation Fund (LWCF). As originally enacted, the LWCF required that 60 percent of annual appropriated funds be directed to the states to address local recreation needs and support state parks. Unfortunately, over the last 25 years, the stateside account has received an annual average of only 11 percent of LWCF funding. Would you support an equitable distribution of at least 40% of LWCF funds to the stateside account?

Answer. I believe the Administration and Congress should work together to adequately fund the programs in the Land and Water Conservation Fund with a balance of funding for federal, state and local engagement and collaborative efforts to achieve conservation goals. In recent years, funding for the program has declined, reducing opportunities to secure a conservation legacy on local, state, and federal lands for future generations as intended by this visionary legislation enacted by Congress in 1965.

*Question 145.* The LWCF Act will be up for reauthorization in 2015. Will you pledge to work with Congress and state and local parks and recreation officials to make appropriate changes to the Act to restore the original intent of the fund?

Answer. As I stated at my confirmation hearing, I believe that the Land and Water Conservation Fund has been a critical tool in making resources available for recreation. Conservation of our natural resources—both wildlife and the protection of important lands—and our outdoor heritage, including hunting and fishing, remains essential to Americans' quality of life and to our economy. If confirmed, I look forward to working with you and other members of Congress on this important issue.

*Question 146.* Do you support the current BLM efforts to round up excessive wild horse populations to prevent environmental damage and overgrazing?

Will you support renewal of the consent decree between the State of Wyoming and the BLM? If not, why?

Answer. While I understand that the Wild Horse and Burro Act requires BLM to use gathers to remove excess horses from the range and to ensure a thriving ecological balance on the lands in question, I believe healthy western landscapes include those that support wild horses and burros, grazing, wildlife, recreation, and other activities. If confirmed, I look forward to working with you and bringing a variety of stakeholders to the table to promote the responsible management of public rangelands. Regarding the consent decree mentioned in your question, I am not familiar with its details, but if confirmed I commit to learning more about this issue.

*Question 147.* What are your thoughts on administrative or policy changes that would improve the implementation of the 1971 Wild Horse and Burro Act to reduce cost and improve compliance with Appropriate Management Levels in the west?

Answer. I am aware that the Wild Horse and Burro program at the BLM poses unique challenges. I understand the BLM is continuing to develop and implement targeted policy changes and is working to find ways to make the program sustainable within the existing statutory framework. If confirmed, I look forward to working with you to better understand the issues and complexities surrounding the program in order to strengthen and improve implementation of the Wild Horse and Burro program.

*Question 148.* Do you support the disposal of federal lands identified for such in the BLM's Resource Management Plans?

Answer. I am informed that the BLM preliminarily identifies lands for disposal through its land use planning process, but that additional review, appraisals, surveys, and public participation are necessary before these lands can be sold or exchanged. If confirmed, I look forward to working with the BLM to ensure that these processes work for the benefit of the public, stakeholders and interested parties.

*Question 149.* During these times of fiscal limitations, do you believe the Interior Department should prioritize the maintenance and safety of existing land holdings or the acquisition of new land?

Answer. I understand that there are many competing priorities for limited resources. And importantly, acquisitions are often done for management efficiency reasons, helping to secure public land in-holdings, or consolidating land holdings to make management easier and cost less. I also understand that the funding proposed by the Administration for federal land acquisition is part of a strategy that reflects the President's agenda to protect America's great outdoors, including acquisitions to improve access, and demonstrates a sustained commitment to a 21st century conservation agenda. There is a balance between addressing the most urgent needs for recreation; species and habitat conservation; and the preservation of landscapes and historic and cultural resources, and addressing the deferred maintenance backlog. Should I be confirmed as Secretary, I look forward to working with you and other members of Congress to address this important issue.

*Question 150.* The USFWS made a determination that the Shoshone NF is "occupied" lynx habitat based on one "potential" track in the snow in 2008-2009 and one confirmed track in the winter of 2004-2005. The effect of that determination is that 597,000 acres of the Shoshone NF are managed as lynx habitat, with restrictions on precommercial thinning and other forest management. Would you commit to a FWS review of that determination?

Answer. I am not familiar with this specific issue, but if confirmed, I commit to reviewing it with the FWS.

*Question 151.* The USFS amended most of the forest plans in Wyoming through the Northern Rockies Lynx Amendment and the Southern Rockies Lynx Amendment as a result of the USFWS listing of lynx under the ESA. One of the specific effects has been to restrict precommercial thinning of young, regenerated stands because they would potentially provide snowshoe hare habitat, which is a primary prey for lynx. That was intended to be short-term direction, but neither the FS or FWS plan have shown any intent to review that direction. Would you commit to the FWS working with the FS on a plan to review that direction?

Answer. As noted in the response to the previous question, if confirmed, I commit to reviewing this issue with the FWS.

*Question 152.* The Bureau of Land Management (BLM) Public Domain (PD) lands include approximately 58 million acres of forests and woodlands. The President's FY 2013 Budget proposed a significant reduction in the BLM PD Forestry Program, including the following (comparisons from FY 12 enacted to FY 13 President's Budget):

funding from \$9.7 million to \$6.3 million -woody biomass sold from 110,000 green tons to 55,000 green tons -timber products sold from 30 million board feet to 12 million board feet -FTEs from 84 to 50 -stewardship contracts from 35 to 7 -restoration treatments through sales from 21,700 acres to 5,500 acres -fuelwood and non-timber

permits from 23,000 to 12,000 -treatment acres from 16,000 to 4,000 -timber-related economic activity from \$266 million (2010) to \$180 million

The effects would include lost jobs in forest products companies, reduction of economic outputs from local businesses, increased susceptibility to insects, disease and wildfires, and potentially increased costs of fire suppression and environmental effects. Would you agree that reducing the BLM's PD forestry program should be reviewed and reconsidered?

Answer. I am not aware of the specific details of the 2013 budget request for the Public Domain (PD) Forestry Program in the Bureau of Land Management. I appreciate your concern over the potential impacts to economic output and environmental consequences associated with a budget reduction. If confirmed, I will investigate the status of the PD forestry program and evaluate the status of this and other BLM programs.

*Question 153.* Do you agree that the delisting of the wolf in Wyoming, Idaho and Montana was a success story for the Endangered Species Act?

Answer. Yes, I believe that the delisting and the return of healthy populations of the wolf to the Northern Rocky Mountains is a success story, and one that I believe is a positive result of the cooperation of states, tribes, and many partners to bring about the recovery of this species.

*Question 154.* Do you agree that Wyoming's delisting deserves the same legal protections from judicial challenges that Idaho and Montana already have?

Answer. I am told by the FWS that the successful recovery of the species is a reflection of outstanding cooperative work among the states of Wyoming, Idaho, and Montana, tribes, many partners, and the federal government. I understand that the FWS has full confidence that the Wyoming management plan is legally defensible and that the states' plan will ensure the sustained recovery of the species.

*Question 155.* Do you believe a species should be listed as endangered or threatened under the Endangered Species Act if the only reason the species is in decline is a finding that the species is under threat due to anthropogenic, man-made climate change?

If so, and since the ESA is a U.S. statute, what measures can the U.S. do unilaterally that will guarantee the recovery of that species?

If U.S. action alone cannot guarantee the recovery of a species, why should such a listing occur if there are communities and families that will be negatively impacted by that species designation in terms of job losses or public safety concerns?

Answer. I understand from the FWS that the statute does not differentiate threats on this basis when it comes to listing decisions, but requires that a species be listed as endangered, if the FWS determines that a species is in danger of extinction throughout all or a significant portion of its range. It is to be listed as threatened if the FWS finds the species is likely to become in danger of extinction within the foreseeable future throughout all or a significant portion of its range. While the Department and the FWS must fully implement all applicable federal laws to protect listed species, the recovery of any listed species cannot be guaranteed. If confirmed, I will commit to ensuring that all Endangered Species Act decisions continue to reflect the best available science.

*Question 156.* As you know, in 2011, there was a closed-door settlement agreement between the Fish & Wildlife Service (FWS) and two environmental groups that led to a six-year listing work plan for the FWS to review and potentially list more than 250 species. Many of these species have potential habitat that combined covers most of the Western States. However, none of the affected states or communities were a party to the agreement. Do you believe that is an open and transparent way to make public policy that significantly impacts Americans?

Do you believe State and communities impacted by these agreements should have a say in court agreements that might severely impact them?

If confirmed, would you agree not to enter into closed-door settlements where the public and affected States are not a party to these agreements?

If confirmed, would you open up litigation to local stakeholders and give impacted States and counties a seat at the table before any final agreement is signed?

Answer. While I was not a party to any of the discussions or decisions regarding the development of these settlements, I am aware that the FWS has recently finalized its plan to address the backlog of species that have been found to warrant protection under the ESA. Throughout my career, I have brought different parties together and tried to reach agreement on difficult issues in order to avoid measures like costly litigation. While it is not always possible to avoid litigation, if confirmed, I will ensure that the Department actively engages state and local governments and the public in the search for improved and innovative ways to conserve and recover imperiled species.

*Question 157.* How effective do you believe the Endangered Species Act (ESA) has been over the past few decades? Do you think there are improvements that are needed to modernize it for current society and ecological needs?

Answer. In enacting the Endangered Species Act, Congress made the prevention of species extinction a national priority. I believe the record is clear that the law has saved many species from extinction and has promoted a more sustainable management of our nation's vital natural resources. I believe that the Department has a successful record of working under the law to develop policies, like voluntary agreements, that serve to preclude the need to list. These measures provide landowners and businesses welcome predictability, and facilitate recovery. If confirmed, I will commit to implement the law based on the best available science, and I would be happy to discuss ESA implementation with the Congress, including whether there are potential areas for improvement.

*Question 158.* Will you support Congressional efforts to reform the ESA by strengthening the requirements for listing petitions and assuring the delisting of recovered species?

Answer. I believe that we must ensure that implementation of the law is effective and efficient. If confirmed, I look forward to further discussions with Congress on this matter, including potential areas for improvement.

*Question 159.* What are your thoughts on administrative or policy improvements to the implementation of the ESA? Can and should changes be made to reduce legal challenges?

Answer. I believe that we must ensure that implementation of the law is effective and efficient. If confirmed, I will commit to continuing to work with the FWS to ensure that implementation of policies such as voluntary conservation agreements continue to be effective. I look forward to further discussions with Congress on all matters related to ESA administration.

*Question 160.* The Endangered Species Act (ESA) has been one of the most abused federal Acts in recent memory. Special interest organizations have broken the financial back of the Fish and Wildlife Service (FWS) by filing petitions to list thousands of species knowing that it would be impossible for the FWS to respond under the required deadlines. Even worse these litigants continue the onslaught by suing the FWS for failing to meet arbitrary deadlines. The net result is less federal funding for conservation, and millions of dollars in attorney fees to these litigants. And with the ESA only having a 1% success rate of delistings, it only stands to reason that these litigants have further crippled the ability for conservation success. Would you support amending the ESA to give the FWS more discretion to respond to these mass litigants and reduce government dollars being wasted on abusive litigation?

Answer. If confirmed, I would be pleased to discuss ESA reauthorization and implementation with you and Congress, including whether there are potential areas for improvement in meeting statutorily prescribed deadlines.

*Question 161.* According to publically available documents the Conservation Alliance has funded 30 environmental special interest organizations. These same groups have filed more than 1,100 federal lawsuits between 2005 and 2012. Will you explain your personal and REI's relationship with the Conservation Alliance?

Answer. I have not made any personal donations to the Conservation Alliance and my only interaction has been to attend the occasional presentation they have hosted at the Outdoor Retailer trade show, held bi-annually in Salt Lake City. These presentations have generally been large gatherings featuring a well-known speaker. In 1989, The North Face, Kelty, Patagonia and REI founded the organization to help businesses in the outdoor industry work together in support of outdoor places of interest to their customers. Approximately 175 companies fund the Conservation Alliance at this time. REI has provided financial support for the organization, consistent with other companies in the industry. Over the organization's history, some REI employees have served as individuals on its board of directors.

*Question 162.* Most of the Bureau of Reclamation facilities are in the western states. Most of the agency's infrastructure has an average age of over 50 years. In 2008, Reclamation testified before this committee that maintenance needs on Reclamation facilities exceeded \$3.2 billion. What is the current estimated backlog?

If confirmed, what steps would you take to eliminate this backlog?

Answer. I understand that addressing the Bureau of Reclamation's aging infrastructure is a priority for the Department. I recognize Reclamation's important role in delivering water and power to the West and will work with my colleagues in the bureau and the Department to better understand and address the challenges it faces.

*Question 163.* Water is the lifeblood of western states, with the Bureau of Reclamation providing much of that water to our communities. My home State of Wyoming alone has a series of proposed water storage projects that will need to go



through the currently lengthy and burdensome permitting process. Will you commit to expedite the approval of new water storage projects in the West to provide for rural communities that are in need?

Answer. I understand that the Administration is working on government-wide efforts to modernize federal infrastructure permitting and review regulations, policies, and procedures, and that the Department of the Interior is playing an active role in supporting these efforts. ? Questions from Senator Barrasso

*Question 164.* Societal values related to environmental improvement have grown dramatically since the time when many Bureau of Reclamation water management facilities were constructed and began stimulating economic growth and healthy communities. Would you agree that we must find a way to continue to meet the historic needs of the communities Reclamation serves while also striving to address the growing demand for water for the environment?

Answer. I agree. The Bureau of Reclamation's mission, as I understand it, is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. If confirmed, I will support the Bureau's efforts in this regard.

*Question 165.* The Bureau of Reclamation faces many competing and in fact conflicting demands when making water project operating decisions in the West. Often these are characterized as environmental benefit vs. human benefit decisions. How will you approach these decisions as Secretary of the Interior?

Answer. First, I believe Reclamation needs to continue to be an active participant, together with USGS and other federal, tribal, state, and local science providers, in an aggressive science program to better understand the effects of different tradeoffs in decisions regarding water resources. Second, based on the best available scientific data, Reclamation will continue working closely with affected interests to assess the need to modify its operations and infrastructure to adapt to changes in hydrology and climate. Finally, Reclamation needs to continue its efforts to help water users conserve water and operate more efficiently. This latter effort will help the West address many of its future water supply challenges, including those that result from climate change. I believe that transparency and continued communication are essential to successful collaborative relationships with sister federal agencies and with our tribal, state and other stakeholders, and I will strive to foster these relationships if confirmed.

*Question 166.* Do you believe the weather events that have occurred over the last few years are a direct result of anthropogenic, man-made climate change?

Answer. I recognize that the consensus in the scientific community is that climate change is a reality, and its impacts, from longer, drier droughts to increased flooding and more severe storms, are being felt across the country. I also appreciate that no specific weather event can be attributed to climate change.

*Question 167.* Do you believe we can predict what the weather will be in Wyoming or any other State 10, 20 or 50 years from now with any accuracy, and what the impact will be to the landscape from that weather?

If you cannot predict with any accuracy, how will U.S. taxpayer investments today to protect species decades from now based on inaccurate computer models guarantee any success?

Answer. While the consensus in the scientific community is that climate change is a reality, my understanding is that we cannot predict with certainty either day-to-day weather or the impact thereof on the Wyoming landscape in 5, 10, or 50 years. But I also understand that as the manager and steward of one-fifth of the nation's land, thousands of miles of coastline, and nearly two billion acres on the Outer Continental Shelf, as well as the water, fish, wildlife, and other natural resources, the Department has to make management decisions today based on the best scientific information available, consistent with applicable law.

*Question 168.* In your opinion, what is the difference between the terms "extreme weather" and anthropogenic, man-made "climate change"?

Answer. I am not a climate scientist, so my understanding of these terms is generally that of a lay person. With that in mind, I would describe "extreme weather" as short-term changes in regional climate and "climate change" as a more long-term trend.

*Question 169.* The Bureau of Land Management issued a notice for the Grand Junction Field Office's Resource Management Plan in the Federal Register on Jan. 25. The Grand Junction Field Office's RMP proposes a draft plan by the BLM that prohibits access to off-highway vehicle (OHV) use, citing that the areas have "wilderness characteristics." With the use of wilderness characteristics, the RMP resurrects the controversial Wild Lands policy defunded by Congress in April of 2011. The guidance manuals cited in the RMP include language directly lifted from Interior Secretarial Order 3310 and its supporting documents.

With the Grand Junction example in mind, do you believe by placing a higher premium on wilderness characteristics than other inventoried uses, the BLM is indirectly administering land use restrictions?

Answer. While I am not familiar with the specifics of the Grand Junction Resource Management Plan, it is my understanding that the BLM is required by FLPMA to ensure that its inventories for all resources, including wilderness characteristics, are current. If confirmed, I look forward to learning more about this particular plan and the proposals put forward for public consideration. I am committed to ensuring that planning efforts are inclusive by working with interested parties, local communities, and elected officials.

*Question 170.* In the past you have championed and highlighted non motorized recreation as part of the America's Great Outdoors initiative. Do you support motorized recreation on federal lands? If so, in what specific ways do you plan to promote motorized recreation as part of America's Great Outdoors?

Answer. I believe motorized recreation is one of the many multiple uses for the public lands, and I support motorized recreation where it is appropriate. As I mentioned at the hearing and in response to previous questions, I think it is important to examine uses on a case-by-case basis.

*Question 171.* In the Grand Junction Field Office RMP, the BLM also wants to prohibit off-highway vehicle use during a high wind event because of particulate matter.

Why does the RMP single out only off-highway vehicles by prohibiting them because of particulate matter?

Why does the BLM want to enforce the disturbance of particulate matter through an RMP?

Does the BLM plan to expand the particulate matter restriction for off-highway vehicles to other western States with upcoming RMPs?

If, so which areas are being considered? Wyoming?

If not, will you explain why Wyoming would be treated differently from Colorado?

Answer. As I indicated in response to a previous question, it is my understanding that the BLM's RMPs address a whole suite of issues, uses, and management options for the public lands, and that they consider potential environmental impacts of proposed uses of public lands and resources, including uses like motorized vehicles and other forms of recreation. If I am confirmed, I commit to working closely with BLM to ensure proper management and planning for our nation's public lands.

*Question 172.* In October 2011, the National Park Conservation Association sued the National Park Service for failure to Protect Big Cypress National Preserve in Florida. The lawsuit sought to prohibit motorized off-road vehicle use

Do you support the NPCA's suit against the NPS?

Is there an inherent conflict between motorized and non motorized recreation on federal land?

If so, in your view, what is the proper role and place for motorized recreation?

What is the proper role and place for non motorized recreation?

Answer. I have not been involved in litigation decisions of the NPCA, including litigation related to the Big Cypress Preserve. However, because this is a matter in which the NPCA has been involved, if confirmed, I will consult with the Department's ethics office on the extent to which I may participate in this matter. In general, however, I believe motorized recreation is one of the many multiple uses for the public lands, and I support motorized recreation where it is appropriate. As I mentioned at the hearing, I think it is important to examine uses on a case-by-case basis.

*Question 173.* How will you strive to improve the relationship between the agency and stakeholders who hold grazing permits on public lands?

Answer. Over the course of my business career, I have been committed to bringing people together to find common solutions to difficult issues. If confirmed, I will work with stakeholders, including ranchers, to ensure that the public lands are sustainably managed for multiple uses, including livestock grazing.

*Question 174.* In your opening testimony you spoke about the need for businesses to have certainty and clarity when making investments.

Do you believe proper land management is an important investment on federal or private land?

Do you believe a long term view is required by federal land managers or private land owners in making proper land management decisions?

Do you see livestock grazing as primarily a commodity use of public lands or a tool for the proper management of these lands?

Answer. We are fortunate to have a variety of resources on federal lands, and I believe that proper land management is an important investment for lands in both public and private ownership. If confirmed as Secretary, I would take seriously my

stewardship responsibilities for our public lands and resources. They will be here long after we are gone, and a long-term view is critical when making management decisions that must benefit both present and future generations. Livestock grazing is an integral component of the BLM's multiple-use mandate and must be managed so as to achieve and maintain rangeland health. If confirmed, I would work with public land stakeholders, including Members of Congress, to ensure we strike the right balance between the various uses of public lands, including grazing.

*Question 175.* The National Parks Conservation Association has opposed the Grazing Improvement Act—which I introduced last Congress and again this Congress. The bill would extend the term of Federal grazing permits from 10 to 20 years and streamline the renewal process for grazing permits. Knowing the importance of certainty for businesses as stated in your opening comments to the committee—and the need for agencies to act in a responsive and timely manner—will you commit to supporting these principles in my legislation?

Answer. As I stated at the confirmation hearing, I understand, as a business person, the importance to industry of regulatory certainty and clarity. If confirmed, creating certainty and predictability will be cornerstones of my vision for managing the Department.

*Question 176.* Given that Western Watersheds Project has as its goal the complete removal of livestock from public lands, are you aware of NCPA having worked with WWP on litigation?

Answer. No, I was not aware of this organization that NCPA worked with.

*Question 177.* Currently, wealthy non-profits that file process-based lawsuits against the government concerning ESA listing decisions, grazing permit renewals and other DOI decisions have access to taxpayer dollars. Do you believe this should occur for organizations worth tens of millions of dollars?

Answer. I believe strongly in a transparent and collaborative approach to problem-solving and looking for ways to resolve environmental concerns while balancing the need for development consistent with the law. As I noted at my confirmation hearing, throughout my business career I have brought different parties together to try and reach agreement on difficult issues so that measures like lawsuits are not necessary in order to ensure that laws are properly implemented.

*Question 178.* How can the administration facilitate the NEPA process in a manner that reduces the size and complexity of NEPA documents, shortens time frames for NEPA completion and reduces opportunities for procedure-based legal challenges?

Answer. I am aware that a priority of the Administration is to modernize NEPA to better assist federal agencies to meet the law's goals, enhance the quality of public involvement in governmental decisions relating to the environment, increase transparency, and improve its implementation. If confirmed, I will support these efforts.

*Question 179.* Would you support innovative approaches that make state and local governments true partners in the management of federal lands within their jurisdictions? What approaches would you suggest?

Answer. Throughout my business career, my approach has been to convene people with different interests to facilitate resolution of those differences. I believe it is important to bring people together to work toward common ground. If confirmed, I commit to continuing and reinforcing that kind of approach at the Department of the Interior.

*Question 180.* Describe your understanding of the roles of the States, water users, agencies and Department of Interior in the management of the Colorado River?

Answer. I appreciate that the Colorado River and its tributaries are exceedingly important for western states and Indian tribes. Passing through Arizona, California, Colorado, New Mexico, Nevada, Utah, and Wyoming, I am told the Colorado provides water to nearly 40 million people for municipal use, supplies water used to irrigate millions of acres of land, and is also essential to Indian tribes, National Wildlife Refuges, National Recreation Areas, and National Parks. Federal, state and tribal governments exercise control over water resources. I am also aware that Department plays an important role in the management of the Colorado River and that the Secretary of the Interior has a unique role as water master for the Lower Colorado River. I recognize the Department's obligation to coordinate with other entities having responsibility for water management in the Colorado River Basin.

*Question 181.* Describe what you believe the roles of the States, water users and Department of Interior agencies should be in management of the Colorado River. Do you have any plans to change those roles?

Answer. If confirmed, I will comply with all applicable federal laws that govern the operations of the Colorado River system, including the Law of the River. I will work to ensure that the tribal, municipal, agricultural, environmental and rec-

reational needs of the Colorado River stakeholders are a priority for the Department.

*Question 182.* Describe your understanding of the obligation of the United States to Mexico in regards to water from the Colorado River?

Answer. I am advised that the allotment of Colorado River water to Mexico is governed by the 1944 Mexican Water Treaty and subsequent agreements between the U.S. and Mexico. I understand that interpretation of the U.S. treaty obligations is within the purview of the Secretary of State and that such interpretation is carried out in close consultation with the Department of the Interior.

*Question 183.* In 2011 Secretary Salazar in a meeting co-hosted by Governor Mead of Wyoming, prompted the creation of a Taskforce staffed by the Governors of the 11 sage grouse states and the executives of the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service (FWS), the Natural Resource Conservation Service (NRCS), and the U.S. Forest Service to develop a near-term, policy focused, rangewide conservation strategy that would preclude the need to list sage-grouse under the authority of the Endangered Species Act (ESA) by 2015. What would you do to add value to this effort and others like it?

Answer. I understand that Secretary Salazar and his senior team have given sustained, high level attention to this issue. If confirmed, I commit to maintaining that high level of engagement and utilizing any lessons learned. I am committed to supporting both the conservation of Western wildlife and development of economic opportunities by supporting the Administration's ongoing work with affected states, tribes, industry, and other stakeholders. If confirmed, I will be happy to meet with you and other members of Congress to discuss ways that we can conserve wildlife and its habitat while ensuring that energy production and economic investments continue.

*Question 184.* In 2011, the Department of Interior withdrew approximately 1 million acres of mining claims, most of which were existing and valid claims under the 1872 Mining Law. The basis of this withdrawal was due to environmental concerns that were never really demonstrated in a scientific or peer-reviewed manner. Most recently, the BLM has been evaluating a mitigation plan regarding Sage Grouse, and there is discussion regarding the use of FLMPA to withdraw significant areas of land from activities authorized under the Mining Law to protect "critical habitat". Several western States have developed mitigation plans that protect critical habitats and allow multiple use, including mining. However, BLM does not seem to be considering these plans. Do you see opportunities where the programs developed by the States could be used to guide BLM in protecting "critical habitat" and allow use that supports thousands of jobs in the Western United States?

Answer. I am advised by the BLM that it will consider alternatives that incorporate state-proposed conservation strategies in developing land management plan amendments and supporting National Environmental Policy Act documents related to Greater Sage-Grouse conservation. If confirmed as Secretary of the Interior, I commit to you that I will also continue to work closely with the Governors of the Western States and consult with tribes in coordinating the Department's Greater Sage-Grouse conservation efforts and ensure cohesive approaches.

*Question 185.* How would you balance socioeconomic considerations in the west with consideration for conservation? What role do new special land designations (wilderness, Areas of Critical Environmental Concern, roadless, primitive areas) play in this balance?

Answer. As I mentioned at the hearing, I believe we can promote both conservation and a vibrant economy in the West. I intend to ensure that all views are heard to inform decision making in land management planning. If confirmed I look forward to bringing this perspective that I have long held to the role of Secretary.

*Question 186.* You have served on the board of the National Parks Conservation Association (NPCA) since 2004. NPCA, in its America's Great Outdoor Initiative report recommends that the National Park System be expanded to "better connect parks to surrounding ecosystems on which park wildlife depend." What are your views on designating buffer zones around National Parks to "protect" park resources including wildlife that regularly move across park boundaries?

Answer. I understand that the administration does not support the designation of buffer zones surrounding the land that the National Park Service administers. However, I think that it is appropriate to have the National Park Service participate in discussions about lands or land uses on adjacent or nearby property that may affect park resources, just as any other neighboring landowner.

*Question 187.* What are your perspectives concerning hydraulic fracturing?

Answer. I agree with the President's statement that natural gas has and will continue to play a crucial role in America's energy economy and independence. Hydraulic fracturing technologies have helped open vast new sources of natural gas here

in the continental United States. The natural gas boom brought by advances in fracking technology has powered tremendous economic growth in some parts of the country resulting in job growth and falling energy costs. As someone who started my career as an engineer for Mobil in the Oklahoma oil fields, I know how essential it is that the public has full confidence that the proper safety and environmental protections are in place.

*Question 188.* In 2010, Wyoming was the first state in the nation to develop and adopt rules for public disclosure of chemicals used in hydraulic fracturing operations. Wyoming's rules address wellbore integrity and flowback water from hydraulic fracturing operations. These regulations were developed with sound science and create a responsible balance between environmental protection and energy production and are applied on federal, private and state lands. The BLM has proposed to unnecessarily duplicate Wyoming's rules. How do you envision that the BLM will balance its proposed regulation in light of decreased funding when backlogs already exist?

Will you give maximum deference to states already regulating these activities? If not, why?

Answer. I am committed to the President's all-of-the-above approach to the safe and responsible development of our country's abundant energy resources. Although I have not had the opportunity to learn the intricacies of the proposed BLM fracking rule, I support the Department's efforts to promote the development of this abundant domestic resource on public lands safely and responsibly. If confirmed, I will work to ensure that regulation of hydraulic fracturing by the Department is focused on reasonable requirements that will help ensure robust production while also providing sufficient protections for critical natural resources. I would encourage knowledge-sharing between the BLM and states to assure that the best available science is used to support safe and responsible resource development, whether on private, state, or federal land.

*Question 189.* The NEPA process—time and length of documents—continues to increase in length. What do you plan to do to provide for a reasonable NEPA process that the public can have confidence in?

Answer. If confirmed, I would support the Administration's commitment to modernizing NEPA to better assist federal agencies to meet the goals of NEPA, ensure compliance in a more timely fashion, ensure public involvement in governmental decisions, increase transparency, and improve implementation.

*Question 190.* NPCA has led the charge to eliminate snowmobile access to Yellowstone National Park. Do you believe snowmobiles and snowcoaches both serve a role in providing access our Nation's first national park? Will you support the National Park Service recently announced final plan concerning winter use in Yellowstone?

Answer. As I mentioned at my confirmation hearing, I believe we must take a balanced approach to the multiple uses of our public lands. While I am not familiar with the details of the National Park Service's recently announced plan concerning winter use in Yellowstone, I understand that it is a proposed rule that authorizes access by both snowmobiles and snowcoaches and was the result of stakeholder engagement. If confirmed, I look forward to learning more of the details of this final plan.

*Question 191.* Although not policy guidance per se, the Obama Administration has used its litigation settlement authority to make or change Department policy. It is clear that substantive policy is being enacted from these settlement agreements. For example, on September 9, 2011 the Justice Department, on behalf of the U.S. Fish and Wildlife Service (FWS), filed settlement agreements in the multi-district Endangered Species Act litigation. Not only did the Justice Department agree that the FWS had failed to timely make decisions related to 113 species, the settlement agreement added 940 more species to the list, and requires the federal government to complete the section 4 decision regarding all 1053 species within a five-year period. What role do you believe litigation plays in federal land use management?

What will you do to ensure that public policy is not unduly influenced through litigation and settlement?

What role do you believe climate change adaptation science should be integrated into federal agency decision making?

Answer. As I noted at the hearing, throughout my business career I have brought parties together and tried to reach agreement on difficult issues in order to avoid costly litigation. It is my understanding that the multi-district settlement agreement did not add any species to the endangered or threatened species list, but rather specified time frames within which certain statutorily prescribed determination would be made. With regard to the role of climate change adaptation science in agency decisionmaking, I recognize the consensus in the scientific community that climate change is a reality. As the manager and steward of one-fifth of the nation's

land, thousands of miles of coastline, and nearly two billion acres on the Outer Continental Shelf, as well as the water, fish, wildlife, and other natural resources that are found there, Department officials have to make management decisions today based on the best scientific information we have available.

*Question 192.* Many of the individual agencies within the Department of the Interior hold monthly or quarterly meetings with stakeholders. At present the USFWS does not hold any such meetings regarding ESA matters. Will you commit to directing USFWS to initiate regular communications and meetings with interested stakeholders on ESA matters—at a national and local level?

Answer. I am told that the FWS meets regularly with its state fish and wildlife partners to discuss implementation and coordination of the Endangered Species Act, has established a Joint State-Federal Task Force in conjunction with the Association of Fish and Wildlife Agencies, and that agency leaders and scientists meet regularly with a wide diversity of stakeholders. If confirmed, I commit to continuing and expanding this record and opening my door to partners and interested stakeholders to address specific ESA issues.

*Question 193.* The purpose of the Endangered Species Act is to protect and conserve endangered and threatened species. Certain environmental groups continue to attempt to use the ESA to pursue and require the reduction of greenhouse gas emissions. How will you ensure that, consistent with your obligation to carry out the purposes of the ESA, the Department of the Interior does not allow parties to use the ESA as a back-door mechanism to force the debate or choice of federal statutory or regulatory actions regarding responses to climate change or any regulation of greenhouse gas emissions?

Answer. This Administration has made it clear that it does not consider the Endangered Species Act to be an appropriate tool to regulate greenhouse gas emissions and I share this position. Should I be confirmed, I will continue this approach in carrying out the ESA.

*Question 194.* On public access, the enabling act for Grand Teton National Park established public rights of way on the Moose-Wilson Road for access to adjacent lands. Subsequently in 1977 an easement from the Rockefellers, who owned land along the road, clearly sets forth the position of the United States that the Moose-Wilson Road is a public road which the United States is committed maintaining and operating. A directional closure or one-way limitation on the Moose Wilson Road is outside the jurisdiction of GTNP given the public's established rights to access and use the road as reflected in the 1977 Rockefeller easement. Please comment on your commitment to maintaining public access on the Moose-Wilson Road.

Answer. Although I am not familiar with the specifics of this issue, I can appreciate the importance of the local community's desire for public access. If confirmed, I look forward to learning more about this important issue and working to engage the community and other stakeholders.

*Question 195.* On public safety and the Moose-Wilson Road pathway, the 2007 GTNP Transportation Plan EIS fully analyzed the impacts of completing a pathway along the entirety of the Moose-Wilson Road which allows the NPS to amend and approve pathway development closing the existing 3.3-mile gap. An additional, lengthy and costly environmental analysis is not necessary because the NPS has already analyzed the effects of the pathway, satisfying the "hard look requirement." With the 2016 realignment project on the Moose-Wilson Road in which the road and pathway construction can be simultaneous to capture efficiencies and limit environmental disturbances, timely decisions are important. As was done with a similar modification amendment process in Yellowstone, a modification amendment to the GTNP Transportation Plan Record of Decision with an alternative already fully analyzed is legally available and should be a priority. Will Interior agree to a process to amend the GTNP Transportation Plan ROD with an alternative already studied of a complete pathway on the Moose-Wilson Road and partner with the local community to pay privately for the construction and maintenance of that pathway?

Answer. I understand that NPS is evaluating the request of local officials to amend the Record of Decision to authorize construction of a pathway along the entire length of the road. If confirmed, I look forward to learning more about this important issue and working to engage the community and other stakeholders.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR UDALL

*Question 196.* The National Park Service is coming up on its 100th anniversary in 2016. As you know, in 2011, the park service released A Call to Action intended to help prepare the park service for a second century of stewardship and engagement. One of the bigger themes in A Call to Action is engaging more youth in the parks, and more broadly I think we all know that we need to get more kids outside

more often. As you may know, I have legislation that will help states encourage kids and families to be physically active outdoors called the Healthy Kids Outdoors Act. How do you see both the park service and Interior generally working to achieve its goals in terms of youth engagement, including, for example, utilizing the youth Conservation Corps?

Answer. Public lands overseen by the Department of the Interior, from National Parks in urban areas to wildlife refuges to the vast lands of the BLM provide wonderful opportunities to engage people, young and old, in a variety of healthy activities. The National Park Centennial provides a once-in-a-lifetime platform to bring visibility of our public lands to the American people. The lands managed by the Department of the Interior have successfully engaged volunteers in stewardship projects and the Youth Conservation Corps has been an important part of this effort. Should I be confirmed, I hope to expand these activities, utilizing the array of non-profit organizations dedicated to this work, to accomplish several worthy objectives: providing a deep and enduring connection of our youth to their public lands; developing skills for volunteers; and supporting the important infrastructure on our public lands that is needed to protect the resource and serve the public. As REI has demonstrated, there are good opportunities to engage the private sector in supporting these activities.

*Question 197.* In August, the Bureau of Reclamation is expected to issue a Record of Decision, after a thorough NEPA process, on the Arkansas Valley Conduit. The conduit was first authorized as part of the Fryingpan-Arkansas Project more than 50 years ago, intending to bring safe drinking water supplies to the southeastern corner of Colorado. Following new authorizing legislation, which the Colorado delegation supported, 42 communities now look forward to the reality of the project, which will bring water from Lake Pueblo more than 100 miles to near the state line. Many of these communities are under enforcement action for not meeting federal water quality standards, but each community fixing its own supply system will cost more than this regional approach to addressing the safe drinking water supply needs. Will you support this regional solution?

Answer. If I am confirmed, I look forward to working with you on continuing to make progress in promoting certainty, sustainability, and resiliency for those who use and rely on water resources in the West. I also look forward to working with you on resolving any outstanding issues surrounding the Arkansas Valley Conduit.

*Question 198.* The Colorado Water Institute (CWI) at Colorado State University works closely with researchers, scientists, and private industry to develop sound science that assists and informs Colorado water managers and users. CWI facilitates the transfer of new water knowledge and assists in educating the next generation of Colorado water professionals by working with all Colorado institutions of higher education. It is supported by a U.S. Geological Survey program established by the Water Resources Research Act. Will you support this program as Secretary?

Answer. I recognize and appreciate the contributions of the Water Resources Research Institutes. If confirmed, I look forward to working with the U.S. Geological Survey to ensure a continued legacy of world-class science to support decision-making. I understand that USGS is currently evaluating different ways in which the work of the Institutes, including the Colorado Water Institute, can become more aligned with National priorities while retaining a local focus.

*Question 199.* As you know in Colorado and the Rocky Mountain West, we have many public lands that have been protected through Wilderness and other tools. It's my hope that we can continue to expand Wilderness protection for public lands throughout Colorado. However, I'm also cognizant of the fact that these protections can make it difficult at times to allow for multiple use development, such as transmission line planning in renewable energy rich areas, like the San Luis Valley. How do you see working with different interests on limited public lands to balance these diverse priorities?

Answer. As I noted at the hearing, I believe we must take a balanced approach to uses of public lands to allow, as appropriate, energy, resource development, and recreation balanced with important conservation values. I do not believe it is, or needs to be, an either/or proposition—it should be a both/and proposition. In my experience, reasonable people want to work together to find common solutions. A critical first step is simply giving each the opportunity to understand others perspective and concerns. If confirmed, I look forward to bringing this approach to the Department of the Interior.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR LEE

*Question 200.* I was one of 19 members who signed on to a letter to the BLM on August 2, 2012 that expressed concern for the release of a number of policy manu-

als. These manuals mirror the policies of Secretary Salazar's Wild Lands Secretarial Order and we requested a briefing with the Secretary to discuss the extent to which the Wild Lands policies were used as direction in crafting these manuals. It has been 6 months since that letter was sent and there has been no briefing. When BLM was asked when the meeting would occur, we were told that it already had. BLM staff was referencing a conversation in the hall between two staffers.

a. If you are confirmed, will you commit to prompt correspondence with Congress on critical issues such as the Wild Lands policy? Given the fact that Congress defunded the Wild Lands policy contained in Secretarial Order 3310, will you commit to withdraw the underlying manuals that appear to achieve the same policies by another name?

Answer. I understand that, in response to the congressional action, Secretary Salazar confirmed that the BLM will not designate any lands as Wild Lands under Secretarial Order 3310, and that the provisions in that order regarding the designation of Wild Lands are not operative and cannot be implemented. As I indicated at my confirmation hearing, communication and collaboration are priorities in all my endeavors. If confirmed, I commit to working with congress and stakeholders to discuss important issues such as this.

*Question 201.* The USFWS is contemplating the nation-wide delisting of the Northern Gray Wolf, since recovery objectives have been met.

b. Do you support the nation-wide delisting of the Northern Gray Wolf in 2013 as the USFS is now suggesting?

Answer. I believe that the delisting and the return of healthy populations of the wolf to the Northern Rocky Mountains and Western Great Lakes region is a success story, one that I believe is the positive result of state, tribal, and other stakeholder cooperation. I know that the Fish and Wildlife Service has confidence that management plans will ensure the sustained recovery of the species. Based on my current understanding, I share that confidence. I do not know the specific plans of the Service regarding future proposed delistings, but should I be confirmed, I will commit to support decisions that are based upon the best available science.

#### RESPONSES OF SALLY JEWELL TO QUESTIONS FROM SENATOR FLAKE

##### MULTIPLE USE

*Question 202.* Increasing focus on land withdrawals or designations has limited the ability to productively access, use, and enjoy some of our public lands. In Arizona, for example, Secretary Salazar withdrew one million acres from uranium mining, despite a compromise embodied in the Arizona Wilderness Act of 1984 and the Department of the Interior's own environmental analysis, which indicated that the concerns the withdrawal was designed to relieve were unfounded. Likewise, BLM has restricted multiple use enjoyment of some lands by, among other things, prohibiting recreational shooting at areas like Ironwood National Monument. These all-or-nothing approaches lack the balance and scientific justification you espoused during your confirmation hearing. In short, they limit use, as opposed to enhancing it, while pandering to one set of interests at the expense of all others.

As Secretary, what would you do to restore balance and sound science-based decision making to the Department's multiple-use land management practices?

Answer. As I mentioned at my confirmation hearing, I believe we must take a balanced approach to all of the multiple uses of our public lands. Throughout my business career, my approach has been to bring people who have different interests in an issue together to help them work out those differences. With regard to the use of public lands, regardless of whether it is hunters or anglers, mountain bikers, OHVs, oil and gas development companies, or others, it is important to get people to the table to work together. It is also important that we have the best possible data and science to inform these decisions, especially when substantial resources are at stake. If confirmed as Secretary, I commit to bringing that attitude and approach to the Department of the Interior.

##### INDIAN WATER RIGHTS SETTLEMENTS

*Question 203.* Indian water rights settlements have played a vital role in Arizona water policy. By resolving the claims of tribes throughout the state, Native American communities have been able to secure much-needed water allocations and infrastructure for their people, while non-Indian water users receive certainty about their water supplies. Although we have made great strides in Arizona, a number of water-settlement negotiations remain ongoing. For example, the Hualapai Tribe



in northern Arizona has been working diligently with stakeholders, including the federal government, to resolve its claims. The Department has appointed a negotiation team, and the parties appear close to reaching a final agreement. I support this effort, and I hope that the Department can remain engaged at the highest levels through this transition.

Do I have your assurance that, if confirmed, you will make the Hualapai settlement a priority and direct your senior staff to work with my staff and the other settlement parties to resolve the outstanding issues?

Answer. I understand the importance of the Indian water right claims in Arizona. I also understand the trust responsibility that the United States has to Indian tribes. This Administration has strengthened the federal government's commitment to addressing the water needs of Native American communities through Indian water right settlements and remains committed to finding solutions for future ones. If confirmed, I look forward to building on the progress of this Administration. My understanding is that for the last year, a team at the Department has been negotiating with the Hualapai Tribe on a possible legislative proposal. If confirmed, I will make working on a Hualapai water settlement a priority.

#### TUBA CITY DUMP

*Question 204.* In the 1950s, the Bureau of Indian Affairs constructed an open dump near Tuba City on the Navajo Reservation and the Hopi Villages of Upper Moenkopi and Lower Moenkopi. The trenches at the Tuba City Dump, which is about 4,000 feet up-gradient in terms of groundwater flow from the water supply wells of Upper Moenkopi, penetrated the water table and subsequently became contaminated with a variety of toxic substances including uranium, arsenic, lead, selenium, vanadium, and other contaminants exceeding EPA water quality standards. Groundwater containing these contaminants formed a toxic plume which is migrating toward the Upper Moenkopi wells and the springs relied on by Lower Moenkopi for domestic water and subsistence crops.

As Secretary, would you make it a priority to work with the Hopi Tribe and the Navajo Nation to initiate the "clean" closure of the Tuba City Dump, stem the migration of this plume, and find a resolution that protects the health and safety of those Navajo and Hopi members that are threatened by these contaminants?

Answer. Thank you for bringing this matter to my attention. I understand that clean water is a scarce and valuable resource. If confirmed, I will certainly look more closely into this matter to see how the Department can work with other involved federal agencies and the Tribes to find a resolution to the matter to protect the health and safety of Navajo and Hopi tribal members.

#### RESERVATION SHOPPING

*Question 205.* Some Native American communities have purchased land hundreds or thousands of miles from their existing reservations for the purpose of building casinos. In some instances, the locations are wholly inappropriate for a gaming facility. As Secretary, you will be in a position to make decisions about trust acquisitions for gaming purposes.

What considerations do you believe should guide the Department's decision-making process when considering whether it is appropriate to acquire trust lands that are not adjacent to a tribe's reservation for gaming purposes?

Answer. It is my understanding that it is rare for the Department to take off-reservation land into trust for the purpose of Indian gaming. If confirmed, I would adhere to the Indian Gaming Regulatory Act's requirements and the Department's regulations. I will also take seriously the responsibility to apply these standards and to conduct a rigorous review of all tribal applications.



APPENDIX II  
Additional Material Submitted for the Record

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ACCESS FUND,  
*March 4, 2013.*

Hon. MARK UDALL,  
*U.S. Senate, 328 Hart Senate Office Building, Washington, DC.*

Hon. MICHAEL BENNET,  
*U.S. Senate, 458 Russell Senate Office Building, Washington, DC.*

RE: Access Fund Support for Sally Jewell as Secretary of Interior

The Access Fund writes today in support of Sally Jewell for Secretary of the Interior. As the leading advocacy voice for rock climbers and mountaineers in the United States, we are confident of Sally Jewell's ability to provide outstanding leadership for managing public Department of Interior lands.

THE ACCESS FUND

The Access Fund is a 501(c)3 non-profit advocacy group representing the interests of approximately 2.3 million rock climbers and mountaineers in the United States. We are America's largest national climbing organization with over 10,000 members and affiliates. The Access Fund's mission is to keep climbing areas open and to conserve the climbing environment. Preserving the opportunity to climb and the diversity of the climbing experience are fundamental to our mission. For more information about the Access Fund, log on to [www.accessfund.org](http://www.accessfund.org).

Experience in the outdoor recreation industry is increasingly important for managing the millions of acres of public land that support world-class recreational activities while also protecting critical economic assets for communities across the country. Economies across the country that rely on public lands recreation are not only increasing in volume and number, but have outperformed most other communities that lack this sector. The Outdoor Industry Association reports that outdoor recreation generates \$646 billion in consumer spending each year supporting 6.1 million direct jobs. America needs an Interior Secretary that prioritizes the protection and enhancement of recreation assets while also having the expertise to preside over the record level of energy projects across the West.

As nominee for Secretary of the Interior, Sally Jewell brings extensive experience as CEO of Recreation Equipment Incorporation (REI), where under her leadership REI grew to 127 stores in 31 states with sales exceeding \$1.8 billion annually. At REI Jewell not only worked to protect the places that make outdoor recreation possible, thereby advancing REI's business interests, she also created jobs and supported a growing economic sector in the process. Jewell's professional experience has also prepared her to oversee energy production on federal lands as well. Before heading to REI, Sally worked in the banking industry, and as an engineer for Mobil Oil in Oklahoma's oil fields.

Jewell's experience in the oil and gas industry, as well as REI, means she has an acute understanding of the balance that must be struck on public lands. If confirmed as Interior Secretary, Jewell will be one of the few to actually share the passions of the majority of people who recreate on the 500 million acres of public land within the Department of the Interior. She will also bring first-hand knowledge of the oil and gas industry. We believe Sally Jewell is uniquely qualified to balance both recreation and energy production on public lands and we urge the United States Senate to confirm her as Secretary of the Interior

Sincerely,

BRADY ROBINSON,  
*Executive Director.*

March 4, 2013.

Hon. RON WYDEN,  
*Chairman, Energy and Natural Resources Committee, U.S. Senate, 221 Dirksen Senate Office Building, Washington, DC.*

Hon. LISA MURKOWSKI,  
*Ranking Member, Energy and Natural Resources Committee, U.S. Senate, 709 Hart Senate Office Building, Washington, DC.*

RE: Nomination of Sally Jewell as Secretary of the Interior

DEAR SENATORS WYDEN AND MURKOWSKI: The Mountaineers, El Sendero Backcountry Ski & Snowshoe Club, Washington Trails Association, Evergreen Mountain Bike Alliance, Washington Climber's Coalition, The American Alpine Club and American Whitewater represent active memberships of recreationists who hike, climb, snowshoe, paddle, ski and ride mountain bikes throughout Washington State. We write to express our enthusiastic support for the nomination of Sally Jewell as Secretary of the U.S. Department of Interior.

Our organizations engage in planning and policy decisions that impact our public lands, maintain active partnerships with land managers, and collectively contribute thousands of hours annually to the maintenance of trail systems, crags and river access points. We care about the future management of Department of Interior lands and believe Sally Jewell is uniquely suited to serve as Secretary of the Interior.

As chief executive of Seattle-based REI, Mrs. Jewell's leadership contributes directly to Washington's \$22.5 billion outdoor recreation economy which supports over a quarter million jobs in the state. We believe that Mrs. Jewell's proven leadership in the outdoor industry, the financial sector and energy development uniquely positions her to face the complex management challenges on our nation's public lands. We ask that you support her nomination for Secretary of the Interior.

Sincerely,

MARTINIQUE GRIGG, EXECUTIVE DIRECTOR,  
*The Mountaineers.*

GUS W. BEKKER, PRESIDENT/FOUNDER,  
*El Sendero Backcountry Ski and Snowshoe Club.*

EDDIE ESPINOSA, NORTHWEST REGIONAL COORDINATOR,  
*The American Alpine Club.*

THOMAS O'KEEFE, PhD, PACIFIC NORTHWEST STEWARDSHIP DIRECTOR,  
*American Whitewater.*

MATTHEW PERKINS, BOARD MEMBER,  
*Washington Climbers Coalition.*

JONATHAN GUZZO, ADVOCACY DIRECTOR,  
*Washington Trails Association.*

GLENN GLOVER, EXECUTIVE DIRECTOR,  
*Evergreen Mountain Bike Alliance.*

March 1, 2013.

Hon. ORRIN G. HATCH,  
*U.S. Senate, 104 Hart Senate Office Building, Washington, DC.*

Hon. MIKE LEE,  
*U.S. Senate, 316 Hart Senate Office Building, Washington, DC.*

RE: Friends of Indian Creek and Salt Lake Climbers Alliance Endorsement of Sally Jewell for Secretary of the Interior

The Friends of Indian Creek and Salt Lake Climbers Alliance write to endorse Sally Jewell as Secretary of the Interior. We represent the thousands of rock climbers and mountaineers that live near and recreate in Utah's many outstanding climbing areas, and we understand that Jewell's extensive experience as outdoor industry executive, banker, and oil company engineer will be critical in finding the right balance for managing public lands in Utah and across the country.

THE FRIENDS OF INDIAN CREEK

The Friends of Indian Creek, a 501(c)(3) organization, has a mission to promote responsible recreation and ensure the conservation of Indian Creek's natural resources and primitive character. The Friends of Indian Creek works with land managers to promote responsible climbing, but also provides resources that help allevi-

ate the impact of recreation on the region. The Friends of Indian Creek, the 2011 recipient of the BLM's State Directors Public Lands Partner Award, have also been instrumental in assisting with climbing access and conservation issues in the larger Canyonlands region including at Castleton Tower and Arches National Park. For more about the Friends of Indian Creek, see <http://www.facebook.com/friendsofindiancreek>.

#### SALT LAKE CLIMBERS ALLIANCE

The Salt Lake Climbers Alliance (SLCA) exists to promote climbing opportunities, preserve local access and encourage stewardship of the environment. The Wasatch Mountains are a climber's paradise. Located within minutes of Salt Lake City, these mountains host an incredible variety of popular climbing opportunities. Pressure on the Wasatch canyons is at an all-time high from many different user-groups. The Salt Lake Climbers' Alliance helps alleviate potential access conflicts that may arise in the future. Climbers should be leaders in the fight to preserve access to our canyons, since our sport depends upon the continued availability of these delicate resources. For more about the SLCA, see <http://www.saltlakeclimbers.org>.

As you know, Interior Secretary is an extremely important position responsible for the management of most federal land in the US, and makes many key decisions related to conservation, recreation management, and resources extraction. These choices have significant impact on regional economies, recreation use opportunities and patterns, the conservation of natural resources, and the country's energy needs and independence. Jewell has significant experiences in all these areas and a track record demonstrating balance and pragmatism.

Before leading REI to record levels of sales and job creation—now 127 stores in 31 states with sales exceeding \$1.8 billion annually—Jewell was a banker and an engineer for Mobil Oil Company. This experience will allow Jewell to understand how her decisions not only affect the growing outdoor recreation industry, but also how to responsibly and effectively develop energy production from our public lands. Sally knows directly how to create jobs and also how to find the right balance between environmental protection and resource extraction—all critical to the needs of communities across the country especially in Utah.

The Friends of Indian Creek and Salt Lake Climbers Alliance support responsible recreation and sustainable use of public land for all user groups, and we believe that Sally Jewell is uniquely qualified to bring balanced management to the Department of Interior. For these reasons, we endorse Sally Jewell as the right choice for Interior Secretary.

Sincerely,

SAM LIGHTNER JR., PRESIDENT,  
*Friends of Indian Creek.*

JULIA GEISLER, EXECUTIVE DIRECTOR,  
*Salt Lake Climbers Alliance.*

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#### STATEMENT OF TODD KELLER, NATIONAL WILDLIFE FEDERATION

As the nation's largest conservation organization, the National Wildlife Federation (NWF) supports Sally Jewell's nomination for Secretary of the Interior. NWF has long believed that the strength of our economy is directly linked to the health of our natural resources and believe Ms. Jewell is the right person to bring that understanding to key lands management and other agency decisions. With her background in not only oil and gas development but in outdoor recreation and conservation we feel she will bring a balanced and responsible approach as she leads the Department of the Interior.

In advance of her confirmation hearing, we have prepared an abbreviated list of issues that NWF, our 4 million members and supporters, and our 48 state affiliates deem critical as new leadership is put in place at DOI. We hope these issues can be raised and discussed at the hearing and in private meetings that take place with Ms. Jewell.

#### RENEWABLE ENERGY

- Interior should continue to prioritize the development of 10 GW of appropriately sited offshore wind energy generation by 2020 by investing in 'Smart from the Start' initiatives and ensuring wildlife friendly projects receive needed leases and permits. In the shortterm, this means holding lease auctions in VA, RI, MA, NJ, and MD, moving lease applications forward in NY and ME, estab-

lishing Wind Energy Areas in NC, and filling out broad and medium-scale environmental baseline data along the coast.

- BLM needs to finalize rulemaking for competitive leasing for wind and solar energy that leverages wind and solar energy planning initiatives, and DOI should support bipartisan legislative efforts to reinvest portions of the revenue from renewable energy development on public lands to support regional wildlife conservation efforts.
- Meeting the promise of utility-scale renewable energy capacity requires better policies and tools within DOI that will facilitate wind, solar, and wildlife conservation. Specifically, DOI must have adequate resources to support research, reviews, and permitting programs to implement wildlife friendly renewable energy, an effective eagle permitting program, effective landscape-level conservation, mitigation and siting tools to address cumulative impacts, and consistent and effective implementation of a recently finalized Solar Program and Wind Energy Guidelines.

#### CLIMATE ADAPTATION

- Interior should continue incorporating measures to prepare for and cope with the impact of climate change into the work of its land and water management agencies, by releasing the now final version of the National Fish, Wildlife, and Plants Climate Change Adaptation Strategy, and aggressively implementing this strategy.
- Interior should continue investing in the science required to understand climate change impacts on ecological resources and land management through the network of Climate Science Centers, and its collaborations on climate science and adaptation with organizations like National Wildlife Federation.
- Interior should continue emphasizing the need for large landscape conservation through such means as the Landscape Conservation Cooperative (LCC) network. While the regional LCCs are off to a good start, additional work is required to ensure that sufficient integration across regions is capable of scaling-up to meet national-scale conservation challenges.

#### PUBLIC LANDS

- Complete the implementation of announced reforms to restore balance to the federal onshore oil and gas program; these include additional environmental analyses and public engagement prior to the issuance of leases, preparation of master leasing plans for areas with potential resource conflicts, and promulgation of a revised rule ensuring that oil and gas drilling activities in important fish and wildlife habitats are no longer categorically excluded from the preparation of an environmental impact statement.
- Finalize regulations regarding the use of hydraulic fracturing technologies on public lands; the final regulations should require public disclosure of the chemicals used, improvements to down-hole well integrity to prevent ground water contamination, and new procedures to prevent spills to surface lands and waters.
- Finalize the Record of Decision and Programmatic Environmental Impact Statement regarding availability of public lands for oil shale and tar sands development to ensure that vital fish and wildlife habitats are off-limits to any such development.
- Promulgate new regulations on the federal oil shale and tar sands program that will sustain air, water, fish and wildlife resources both now and for the future and secure a fair return to the communities that will be impacted.
- Over the last two years, nearly one million people weighed in on the Arctic National Wildlife Refuge Comprehensive Conservation Plan (CCP) and urged the administration to recommend a wilderness designation for the Coastal Plain. However, we have yet to see the plan cross the finish line. If current Secretary Salazar does not formally issue the Record of Decision we urge Ms. Jewell, if she is confirmed as the Secretary, to finalize the CCP and recommend a wilderness designation for the Coastal Plain if and when she takes office.

#### WILDLIFE

- Secretary Salazar issued a directive in May 2012 ordering agencies to determine the best locations to relocate wild bison from Yellowstone National Park to public and tribal lands. The resulting plan was to be completed by December 1, 2012, but it has not yet been released (as of March 4, 2013). DOI should release its bison plan immediately and commence collaboration with tribes, land managers, and conservationists to achieve bison restoration. Tribes are our first

natural resource stewards and have deep historical, cultural and ecological connections to bison; DOI should recognize this and prioritize bison restoration to tribal lands.

- **Migratory Bird Responsibilities.** Much of the National Wildlife Refuge System has been developed to protect and restore migratory bird and waterfowl habitat. Over the last 75 years, the Fish and Wildlife Service has acquired thousands of waterfowl production areas for the same purpose. The Department should seek to fulfill its Migratory Bird Treaty Act responsibilities in order to conserve and restore wetlands and other critical water resources.
- **Addressing Invasive Species—**The USFWS (in collaboration with all relevant government agencies) should use existing authority to strengthen prevention measures to help stop the introduction and spread of the most harmful and risky non-native invasive species.

#### KIDS IN NATURE

- The Department of the Interior should focus on engaging youth of all ages in the outdoors. Secretary Salazar emphasized jobs and careers for youth (16-25) on public lands. We encourage continuation of those programs, including the 21st Century Conservation Corps initiative, but also encourage new approaches to engage more children of all ages in the outdoors. In particular, we urge the Department of Interior to express support for Senator Mark Udall's Healthy Kids Outdoors Act (112th—H.R. 3353 / S. 1802), to fund comprehensive state strategies to encourage children, youth, and families, to be physically active outdoors.
- The Department of the Interior's Bureau of Indian Education should "green" their school network. The Bureau of Indian Education, which educates approximately 42,000 elementary and secondary students, should create a framework to help educators integrate culturally appropriate environmental education and outdoor learning throughout their schools and curriculum while at the same time initiating student-led efforts to save energy.
- The Department of the Interior should fund a National Study on Kids Time Outdoors. Children spend less time outdoors today than any generation in human history. And kids that don't spend time outdoors are less likely to care about our public lands and wildlife. Working with the Department of Health and Human Services, the Department should launch a national study focused on the health and conservation impacts of kids not spending time in nature

#### WATER

- **Aquatic Ecosystems.** Especially given current fiscal realities and future impacts of environmental threats like climate change, it is essential that the Department provide strong leadership to restore treasured aquatic ecosystems (including the Gulf of Mexico, the Everglades, and the Great Lakes) that will sustain true economic recovery in the long-run.
- **Fish and Wildlife Consultation Responsibilities.** Failure to comply with USFWS fish and wildlife conservation recommendations undermines the effectiveness of water resource conservation and restoration and unnecessarily harms the health of the nation's fish and wildlife resources. The Department should strongly assert its statutorily granted consultation role to ensure that federal agencies implement its recommendations. This will ensure robust protection and restoration of vital fish and wildlife resources.
- **Water Conservation Successes are at Risk.** The combined result of efforts by the Fish and Wildlife Service since the 1980's has been abundant migratory waterfowl populations, other fish and wildlife taxa, improved water quality, better soil management and a host of recreational opportunities. Protection and restoration of these wetlands, streams, and floodplains is more important than ever. The Service's most recent status and trends report shows that for the first time since the 1980s, annual wetland losses are on the rise. The Department should provide strong leadership to reinvigorate these protections and ward off short-sighted attacks on conservation successes.
- **Gulf Restoration.** In the wake of the Deepwater Horizon oil spill, the Department of the Interior plays three key roles in restoring the Gulf of Mexico. First, as a member of the Gulf Coast Ecosystem Restoration Council, the Department should seek to ensure a forwardthinking, comprehensive, broad, ecosystem-scale is developed and implemented, and that no projects that undermine ecological restoration goals are approved for RESTORE Act funding. Second, as a natural resource trustee, the science expertise of the agencies are critical for assessing the damage and developing a plan to repair, replace, or acquire the equivalent

of each natural resource that was harmed. Finally, the Department manages several public land and aquatic equities in the region and should leverage the benefits of these parks, seashores, and preserves to contribute to the overall health of the ecosystem.

- Other Aquatic Ecosystems. Especially given current fiscal realities and future impacts of environmental threats like climate change, it is essential that the Department provide strong leadership to restore treasured aquatic ecosystems including Coastal Louisiana, the Everglades, the Chesapeake Bay, and the Great Lakes that will sustain true economic recovery in the long-run.

#### COAL

- We urge a review and reform of the federal coal permitting system to ensure taxpayers receive fair market value for coal leases; requirements for more in-depth analysis of hydrology and water quality impacts; and stricter rules on reclamation of mining sites.
- The coal industry is currently implementing plans to dramatically increase exports of US coal. DOI should analyze the cumulative impact of exports when considering lease applications, including impacts on climate targets, environmental and public health along the transportation routes, consumer prices, and US energy security.

March 4, 2013.

Hon. RON WYDEN,  
*Chairman, Energy and Natural Resources Committee, U.S. Senate, 221 Dirksen Senate Office Building, Washington, DC.*

Hon. LISA MURKOWSKI,  
*Ranking Member, Energy and Natural Resources Committee, U.S. Senate, 709 Hart Senate Office Building, Washington, DC.*

RE: Secretary of the Interior Nominee Sally Jewell

DEAR SENATORS WYDEN AND MURKOWSKI: Outdoor Alliance enthusiastically endorses Sally Jewell for secretary of the U.S. Department of the Interior.

A coalition of six national, member-based organizations, Outdoor Alliance includes Access Fund, American Canoe Association, American Hiking Society, American Whitewater, International Mountain Bicycling Association, and Winter Wildlands Alliance. Outdoor Alliance represents the interests of the millions of Americans who hike, paddle, climb, mountain bike, ski and snowshoe on our nation's public lands, waters, and snowscapes. Collectively, Outdoor Alliance has members in all fifty states and a network of almost 1,400 local clubs and advocacy groups across the nation. We have a substantial stake in how Department of the Interior lands are managed, and we believe Sally Jewell is the right woman for the job.

Mrs. Jewell's range of experience and proven leadership ability make her an ideal candidate to lead the Department of the Interior. Her experience includes energy development, finance, and the outdoor industry. Having worked for Mobile Oil, she understands both the potential and the impacts of the oil and gas industry. As CEO of REI, she turned a loss-making company into a \$2 billion industry leader.

Furthermore, Mrs. Jewell understands outdoor recreation and the large role it plays in our economy. Outdoor recreation is worth \$646 billion to the US economy and supports more than 6.1 million American jobs<sup>1</sup>. Millions of Americans participate in outdoor recreation, including Mrs. Jewell herself. Whether mountain climbing or leading a major corporation, Mrs. Jewell exhibits the leadership ability, risk management and wisdom to make the best decisions in compromised situations.

<sup>1</sup>The Outdoor Recreation Economy, Outdoor Industry Association, 2012



With her broad experience, leadership ability and understanding of the outdoor industry, Mrs. Jewell will be able to strike the delicate balance necessary at the Department of the Interior. Please support her nomination for Secretary.

Best regards,

BRADY ROBINSON, EXECUTIVE DIRECTOR,  
*Access Fund.*

WADE BLACKWOOD, EXECUTIVE DIRECTOR,  
*American Canoe Association.*

GREGORY MILLER, PRESIDENT,  
*American Hiking Society.*

MARK SINGLETON, EXECUTIVE DIRECTOR,  
*American Whitewater.*

MICHAEL VAN ABEL, EXECUTIVE DIRECTOR,  
*International Mountain Bicycling Association.*

MARK MENLOVE, EXECUTIVE DIRECTOR,  
*Winter Wildlands Alliance.*

ADAM CRAMER, POLICY ARCHITECT,  
*Outdoor Alliance.*

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STATEMENT OF ED SLAVIN, STAUGUSTGREEN™, ST. AUGUSTINE, FL

SUPPORT OF NOMINATION OF SALLY JEWELL FOR SECRETARY OF THE INTERIOR, AND  
PROMPT ACTION ON ST. AUGUSTINE 450TH COMMEMORATION COMMISSION AND ST. AU-  
GUSTINE NATIONAL HISTORICAL PARK AND NATIONAL SEASHORE

StAugustGreen™ supports the nomination of Sally Jewell to be America's 51st Secretary of the Interior. As the businesswoman and engineer who ran the \$1.8 billion/year Recreation Equipment, Inc. (REI) Co-Op and the Vice Chair of the National Parks and Conservation Association (NPCA), we know Ms. Jewell treasures the health, spiritual, wealth and job creation values of outdoor recreation. Our National Parks are truly "America's Best Idea," as Ken Burns' acclaimed PBS series established, quoting Wallace Stegner. As Secretary of the Interior, we know that Sally Jewell will help preserve, protect and expand our National Parks, which help create more than 6.5 million American jobs.

StAugustGreen™ supports the creation of a St. Augustine National Historical Park and National Seashore. See [www.staugustgreen.com](http://www.staugustgreen.com). StAugustGreen™ urges you to ask Ms. Jewell about reviving the moribund St. Augustine 450th Commemoration Commission. The 450th Commission was created by Congress in 2009, but it still has no appropriation and is stalled. We are grateful that Secretary Ken Salazar heard and heeded our July 15, 2009 call for a diverse, knowledge-based Commission as required by the Federal Advisory Committee Act (FACA): appointed April 15, 2011, its members are diverse people with expertise in Florida, Hispanic, Native American, African-American and Civil Rights history, nature and National Parks, including former Senator Bob Graham, Rev. Andrew Young, Robert Stanton, Bruce Smathers, Gordy Wilson, Jay Kislak, Fr. Tom Willis, Mayor Joseph Boles, Eduardo Padron, professors, et al. The 450th Commission lacks the \$500,000 Congress authorized but never appropriated—it urgently needs it to do its job. The 450th Commission must be funded, start complying with FACA, stop holding secret telephone meetings in violation of FACA, reject the DoI Solicitor's erroneous 2011 conclusion of non-existent FACA exemption (as "operational committee") and hold thoughtful meetings on conservation and protecting our history and natural resources, e.g. St. Augustine National Historical Park and National Seashore.

In 1939, the St. Augustine National Historical Park and National Seashore Act was introduced during the 76th Congress, supported by then-Mayor Walter Fraser, introduced by then-Representative Joseph Hendricks and then-Senators Charles Andrews and Claude Pepper to conserve this wonderfully unique place. That was 74 years ago. What exactly are we waiting for? St. Augustine deserves its rightful place. St. Augustine's story is our Nation's story. Diverse people lived, learned from each other and prospered here since 1565. Our Nation's oldest continually-occupied, European-founded City, St. Augustine has a rich history of cultural diversity—America's original melting pot since 1565. Many never learn this in schools, where British-centrism prevails. The story of the United States began in St. Augustine on September 8, 1565: the 800 colonizers included the first Hispanic-Americans, first African-Americans (freed and slave), first Catholics, first Jews and first women from Europe, along with many other firsts in what is now the United States. That was 42 years before Jamestown, Virginia and 55 years before Plymouth, Massachusetts.

University of Florida History Professor Michael Gannon says, “When Jamestown was founded, St. Augustine was already up for urban renewal.”

Chairman Wyden said February 19, 2013 at Hanford, Washington’s “B” Reactor, “there is an old saying that those who don’t remember the past are doomed to repeat it.... My own view is that history isn’t always ideal .... it is important to look deep into the well of history to get a clearer understanding of what lies ahead.” Sen. Wyden said Hanford and other Manhattan Project sites “must be preserved so future generations understand what went on here.” He said last year was the first in decades Congress hadn’t protected our “special places.”

Europe’s bloody religious wars were fought here: Spanish, French and English forces fought for hegemony in St. Augustine Northeast Florida. Europeans killed Europeans here, over dogma and which empire would rule. Our Matanzas River (“slaughters”) is named for one September 1565 event, where 270 Frenchmen were put to the sword. No monument to their memories exists in Florida. Likewise, the “Columbian Exchange” began here, with Native American and Europeans first interacting, sharing and fighting for dominance. No proper interpretation or monument to this remarkable exchange currently exists.

St. Augustine is a very special place and deserves protection: it was America’s first in so many ways: we had the first Catholic Mass and first Thanksgiving feast (both on September 8, 1565). St. Augustine had America’s first town plan (1586), first school, first church, first weddings, first baptisms, first hospital, first forts, first public square, first public market, first paved streets, first park, first system of weights and measures, first cattle, first horses, first pigs, first government with written records, first army and navy, first recorded marriages (including African-Americans), first freed slave communities, first African-American soldiers/sailors, first African-American general and first government anti-Gay hate crime (on Governor’s orders in 1566).

St. Augustine residents’ courageous activism and litigation produced landmark Congressional and federal court Civil Rights and First Amendment victories (including the 1964 Civil Rights Act and a series of landmark 1963-71 federal court public accommodations and school desegregation orders, a series of orders vindicating the rights of artists and entertainers (buskers) in St. Augustine’s historic area, and a 2005 court order for Rainbow flags on historic Bridge of Lions in honor of GLBT history, including the Governor’s ordering the 1566 murder of a Gay French translator of the Gule Indian language). While the Spanish Inquisition was here to a small degree, Spanish governors in St. Augustine never burned a single “witch” (unlike Salem, Massachusetts counterparts). St. Augustine was a small garrison town that beat the odds, surviving continuously since 1565, when other European settlements were swiftly abandoned (including the 1607 British settlement of Jamestown).

The Underground Railroad began in St. Augustine in 1687 . Under Spanish rule, St. Augustine grew into America’s first shining bulwark of freedom—the first Underground Railroad ran south to St. Augustine, starting in 1687, as Spain granted freedom to any British slaves who would become Catholics and fight for Spain. Slave revolts resulted in several British colonies upon slaves hearing the news of freedom in St. Augustine, Florida. The British were furious, as their former slaves settled here in 1738 the first freed slave settlement in America, at Gracia Real de Santa Teresa de Mosé (Fort Mosé). The British attacked St. Augustine in 1740, besieging it for 27 days. Spanish-freed slaves and Spanish soldiers fought off British invaders.

Hundreds of British indentured servants fled to freedom in 1777. During the 20-year British period, Menoricans, Greeks and Italians, who were British “indentured servants” (slaves by contract), fled to St. Augustine from the deadly failed mosquito-infested New Smyrna indigo plantations, “voting with their feet,” walking some 70 miles to freedom in St. Augustine in 1777. Their long walk to freedom deserves a National Historical Park, which can happen with state donation of several current state parks along the route they walked from New Smyrna to St. Augustine in 1777—this should include wonderful bird and other wildlife observation points in three counties, already state parks. Imagine more than 130,000 acres of NPS protected land, at the stroke of a pen, including state parks along this freedom walk.

St. Augustine survived genocide, wars, arson, slavery, and segregation—and is the Oldest Europeanfounded City in America about to observe its 450th birthday . St. Augustine survived and outlasted slavery, genocide of Native Americans (the Timucua tribe ceased to exist), Jim Crow segregation, hurricanes and the British, who thrice burned St. Augustine to the ground (1586, 1668 and 1702) and twice besieged it (1702 and 1740). Continental America’s oldest masonry fort—Castillo de San Marcos—was started in 1672 in response to British arson and completed in 1695. The Castillo survived two British sieges and cannonballs with its its unique

porous coquina shell construction and artisans' nightly masonry work restoring sections blown away by day. Great Britain owned St. Augustine for twenty years under the two Treaties of Paris, with two peaceful transition to British and back to Spanish rule in 1763 and 1784. Likewise, St. Augustine survived the Civil War without a single shot—in 1861, an Army sergeant turned over the Castillo's keys (Fort Marion), obtaining a receipt from the Confederates. In 1862, Confederates left peaceably when the U.S. Navy (with U.S. Marines) were sighted offshore. The fort was used as a military prison until the Spanish-American War in 1898—it was a prison for selected American Revolutionary War patriots during the British period, and then for selected Native Americans (Osceola and fellow Seminole warriors; Kiowa; Apaches, including members of Geronimo's band and several of his wives) under the U.S. Army. The U.S. Government's controversial system of Indian boarding schools began right here at the Castillo, and was expanded to dozens of other sites around America. These schools are rightly deserving of NPS interpretation beyond that which was traditionally available at the Castillo.

Slavery began in St. Augustine, Florida on September 8, 1565—not in Virginia in 1607, as often misreported. Jim Crow segregation was ended by what happened here in 1964, through the courage of local residents and visiting supporters—the “St. Augustine Movement.” This history deserves NPS interpretation.

In 1964, St. Augustine's 400th anniversary was marred by KKK segregationists, allied with local law enforcement: their fury at peaceful Civil Rights protesters helped President Johnson break the U.S. Senate filibuster against the 1964 Civil Rights Act. The “St. Augustine Movement” was led by local African-American dentist Dr. Robert B. Hayling. Dr. Hayling brought Rev. Dr. Martin Luther King, Jr. and Jackie Robinson. Here. The “St. Augustine Movement” saw the largest arrest of rabbis in American history, the Monson Motel swim-ins, St. Augustine Beach ocean wade-ins, the beating of Rev. Andrew Young and the arrest of Dr. King and the mother of Massachusetts' Governor Endicott Peabody. This was all daily national news.

White House tapes show that in dealing with Southern Senators, President Lyndon Johnson was empowered by the courage of “St. Augustine Movement” as much as by the nightly revolting images and page one headlines of St. Augustine beatings, shootings, muriatic acid poured into the Monson Motel pool, and an iconic photo of a policeman jumping into that pool to arrest J.T. Johnson, Al Lingo, Mamie Ford Jones, Peter Shiras and others for swimming there. After federal court rulings, state law enforcement (Highway Patrol and Fish and Game Commission, supervised by courageous State's Attorney Dan Warren) finally came to defend African-Americans, including those swimming in Atlantic Ocean amid wade-ins. Jim Crow segregation ended because of all that had happened in St. Augustine, Florida.

On July 2, 1964, President Lyndon B. Johnson signed the 1964 Civil Rights Act. Today, women, racial and ethnic minorities, persons with disabilities and Gay and Lesbian people are protected thanks to the courage of the St. Augustine Movement—the 1964 Civil Rights Act was the precedent for human rights laws worldwide. Some of our St. Augustine neighbors who protested in 1964 survive: our elders are sharing their wisdom with future generations and working with Rev. Andrew Young, et. al on several different Civil Rights museums, including the former dental office of Dr. Robert B. Hayling.

Rev. Andrew Young said it best back in 1964: “We change history through finding the one thing that can capture the imagination of the world. History moves in leaps and bounds.”

Next year, in 2014, America and St. Augustine will honor the 50th anniversary of our 1964 Civil Rights Act. We and ask that the Committee Chair visit and advise us, and that you today urge Secretary designate Jewell to work with you and us to make the anniversary meaningful, with creation of a new National Historical Park and Seashore.

Would this be the first National Seashore with a Civil Rights component? Under Florida laws at the time, the Atlantic Ocean was segregated under Jim Crow segregation. Protest wade-ins at St. Augustine Beach pier were international news. Today, formerly segregated African-American beaches statewide are in need of protection, including Bethune-Volusia Beach (near New Smyrna Beach), Virginia Key (Miami) and Bunche Beach (near Fort Myers)—may we suggest that the Senate ENR Committee kindly address with Ms. Jewell the urgency of preserving this history, including potential NPS status and protection and possible sequential referral legislation denying flood insurance to anyone destroying their historic homes?

The Secretary and the ENR Committee must ask Ms. Jewell to commit to continue and expand Secretary Salazar's commitments to the history of members of long-neglected minority groups.

In particular, St. Augustine's Native American, Hispanic, African-American and Civil Rights history deserves greater respect from DoI. What is to be done?

As Admiral Hyman Rickover once said to President Jimmy Carter (then a recent Naval Academy graduate: "Why not the best?" Why not a public-private partnership to present St. Augustine's diverse history to the world? How about planning with Hispanic-Americans, Native Americans, African-Americans and other diverse groups with NPS for the 450th?

Could the ENR Committee please encourage the new Secretary and the 450th Commission to initiate immediate Town Hall discussions of the proposed National Historical Park and National Seashore, and what it might mean for St. Augustine?

A much better location for an NPS Visitor Center might be the abandoned "Sebastian Inner Harbor" project, where boat docks have already been built before the project was abandoned. This property is in foreclosure. Who better than Ms. Jewell, formerly WaMu bank's chief commercial lender, to ask and get bank approval to donate the land for a public purpose? Imagine a DOI-staffed public-private partnership—a National Civil Rights Museum—bordering on the San Sebastian River, site a currently bankrupt development, symbolizing "waters that run like justice" working waterfront, with shrimp boats (not unlike Tarpon Springs' sponge docks), with artists and entertainers (buskers) as in Key West's Mallory Square, with outdoor restaurants.

Currently, Native American, Hispanic, African-American and Civil Rights history is not given nearly enough attention in St. Augustine, either by NPS, or by anyone else.

We treasure our wonderful jewel of a 1672-95 Spanish fort, our Castillo de San Marcos—one of our most-frequently visited but most interpretation-deprived locations in the entire National Park Service. There is also the sister fort of Fort Matanzas. There is also Fort Mosé State Park (underfunded state park threatened with closure), the site of first free black settlement in 1738). There is also a lone historical marker in St. Augustine Beach for beach wade-ins. There is a Civil Rights Foot Soldiers monument and an Andrew Young memorial in St. Augustine's Historic Slave Market square, where abolitionist and transcendentalist Ralph Waldo Emerson first observed slave-selling in 1827 (with multitasking by the chair of the Bible Society and a slave auction being conducted in the public market across St. George Street). There is a small community history museum in Lincolnville. That is all there is at the present time.

Like Atlanta's Rev. Dr. Martin Luther King, Jr. sites, St. Augustine deserves NPS ranger interpretation of African-American and civil Rights history at Fort Mosé, the Slave Market and the churches and homes of Lincolnville and West Augustine (where Civil Rights heroes lived, worked and planned peaceful protests). This will make history come alive, inspiring generations of future Americans to respect equality and the people who struggled to attain it.

The King and Queen of Spain are coming to St. Augustine in 2014. Now, more than ever, St. Augustine's key role in U.S. and world history deserves greater National Park Service attention. St. Augustine's wonderful natural beauty likewise deserves National Park Service protection.

With all this history and beauty, St. Augustine currently has two relatively small National Park Service installations—Castillo de San Marco National Monument (20.5 acres) and Fort Matanzas National Monument (some 300 acres). We can do better for future generations. With wise gifts of state and local public lands and wise stewardship by NPS and local residents, we will create a St. Augustine National Seashore. We will help protect against beach erosion and flooding, protecting glorious wetlands and beaches and private property.

We will protect the winter calving (baby-rearing) grounds of the endangered North Atlantic Right Whale (some 300 survive), endangered turtles' nesting grounds, and habitats of bald eagles, beach mice, butterflies and other endangered and threatened wildlife for future generations to enjoy. We will rescue historic lands threatened by "Temple Destroyers" (in John Muir's words).

Wrecking balls have already destroyed some of our history, including a 3000-4000 year old Native American Indian archaeological site just south of St. Augustine (destroyed to build a strip malls and condominiums). Florida is already blessed with some 500,000 unsold condominiums. St. Augustine is a national treasure, which must not be destroyed by mindless speculation and endless high rises, like South Florida.

These lands must be protected and not neglected—state parks and forests, water management district land, and county beaches, including Anastasia State Park and the Guana-Tolomato-Matanzas National Estuarine Research Reserve (GTM-NERR)—will be combined into a National Historical Park and National Seashore in two counties, one that will preserve at least 130,000 acres of beach and uplands,

rescuing them from threats: closing or privatizing of our parks, e.g., with golf courses (Florida is already blessed with some 1200 golf courses, thank you, and some of those are failing financially). Every year since 2006, our St. Johns County Legislative Delegation has heard us, and talked about the St. Augustine National Historical Park and Seashore—our state legislators now know that we can save tens of millions of dollars by giving selected state lands to the National Park Service. Please see attached 2011 column from St. Augustine Underground (formerly published by Milwaukee Journal).\*

The St. Augustine National Historical Park and National Seashore will help interpret American history that is too often neglected in our schools, including Hispanic, African-American, Native American and Civil Rights history. We have 11,000 years of Native-American history. NPS needs to do a better job of telling it, especially in St. Augustine, where ethnocentrism was long on display at the Castillo, where Native Americans were imprisoned in the 1800s.

St. Augustine has 500 years of European and African: history: a unique, multicultural blend of Spanish, Roman Catholic, African-American, Jewish, Greek Orthodox, Protestant, French, Menorcan, Greek, Italian, Irish, Haitian, Cuban, Civil War, Flagler-era, Civil Rights, Military, Nautical, Resort, Artistic and Musical history. Ray Charles and Marcus Roberts learned to play music in St. Augustine, at our Florida School for the Deaf and Blind. Many jazz musicians retire and play here.

Our local economy is still in the ditch, no matter what our local Chamber of Commerce says for quotation in our local newspaper. People are hurting. Stores and restaurants are vacant. Tourism is the engine of our economy. Environmental and historic tourists stay twice as long and spend twice as much, and they teach future generations of Americans to appreciate nature and understand our history. St. Augustine is rated as one of the best places to live, with the best schools, one of the best places to retire, one of the most cultured places in Florida (Women's Day), hosts one of the ten best Christmas light displays in the world (National Geographic), and is one of 20 places in the world to see in 2013 (National Geographic).

With National Park Service branding, our City can recover from the Great Recession, just as recovered in past centuries, after hurricanes, British sieges, cannonballs and city-wide arson.

It is time for DoI to discuss the St. Augustine National Historical Park and National Seashore. Our draft legislation was called "perfect" by one of our former City Commissioners, who worked at the CEQ and DoI under Presidents Clinton and Bush. This was after a NPS attorney in 2009 refused to read our draft, while inaccurately writing that this would be criminal, misciting 18 U.S.C. 1913.

In 2011, the DoI Solicitor's office, in a shallow, outcome-driven letter, incorrectly took the position that the 450th Commission is an "operating committee," which is not true. The Commission is not operating anything. A junior DoI attorney wrote the letter at the behest of Deanna Archuletta, then a DoI political appointee, who was attempting to justify her desire for secrecy with a slogan. Since that time, DoI has been violating the Federal Advisory Committee Act (FACA) by having the 450th Commission conduct h conference calls and a secret meeting in South Florida. Enough secrecy. Enough delay. Government openness and accountability are essential in our democracy, and DoI must appreciate that fact.

Please ask Ms. Jewell to agree to full FACA compliance for the 450th Commission, including public meetings announced in advance with meaningful public participation and court reporter transcription (as took place at the first and only public 450th Commission meeting in St. Augustine on July 18, 2011). During that meeting, I requested that the Commission hear a presentation on the St. Augustine National Historical Park and National Seashore. The audience applauded. The presentation has not yet been scheduled. The 450th Commission needs to get moving. Again, what are we waiting for?

From now on, DoI staff must open their hearts to our community, end their FACA violations and start helping St. Augustine plan for 2014 and 2015 and beyond—public participation is essential, as one of our former mayors has urged. Please ask Ms. Jewell about public participation today.

#### CONCLUSION

Thank you for helping St. Augustine, Florida win the respect she deserves from NPS and DoI. As Albert Camus said, "If you don't help us do this, then who else in the world will help us do this?"

Secretary of the Interior Ken Salazar, in an ad lib speech on July 18, 2011, came close to endorsing the St. Augustine National Historical Park and National Sea-

\*Publication has been retained in committee files.

shore, referring to “your National Parks here” Let’s make it a reality. Secretary Salazar said St. Augustine is “one of our Creator’s most special places,” and that its contributions to history need to be made “known to our Nation and the world—that history is important to tell.”

StAugustGreen™ respectfully urges the U.S. Senate ENR Committee’s support for:

- A. The nomination of Sally Jewell to be our 51st Secretary of the Interior;
  - B. Full funding for the St. Augustine 450th Commemoration Commission; and
  - C. St. Augustine National Historical Park and National Seashore.
- www.staugustgreen.com

By enacting the St. Augustine National Historical Park and National Seashore legislation, we will conserve, preserve and protect nature, property and history, right wrongs, promote healing and teach tolerance. Our work is bipartisan, and will create another “public park or pleasuring-ground for the benefit and enjoyment of the people,” as Congress wrote in establishing Yellowstone National Park on March 1, 1872—131 years ago. Will you please support “America’s Best Idea”—a St. Augustine National Historical Park and National Seashore—the best “legacy project” for the 500th anniversary of Spanish Florida (2013), 450th anniversary of St. Augustine (2015) and 50th anniversary of the 1964 Civil Rights Act (2014)?

Thank you.

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THE TRUST FOR PUBLIC LAND,  
San Francisco, CA, February 27, 2013.

Hon. RON WYDEN,  
*Chairman.*

Hon. LISA MURKOWSKI,  
*Ranking Member, Senate Committee on Energy and Natural Resources, U.S. Senate, Washington DC.*

DEAR CHAIRMAN WYDEN AND RANKING MEMBER MURKOWSKI: On behalf of The Trust for Public Land, I am writing to express our strong and enthusiastic support for the nomination of Sally Jewell as Secretary of the Interior and to urge you to approve her nomination.

In our experience, Ms. Jewell understands deeply the importance of connecting people to the land, from cities to the wilderness. As a leader in the outdoor industry, she has long recognized the importance of recreation and parks to the health of our families and communities and to the health of our economy. Ms. Jewell has a personal commitment to conservation and the outdoors, and she has been a strong leader in protecting parks for people. We believe she has the experience to tackle many of the department’s challenges, protect America’s public lands, and boldly lead the department and the nation towards a lasting legacy of conservation. She will make an excellent Secretary.

The manifold programs and policies under the purview of the Interior Department necessitate a strong leader whose work and life experiences demonstrate a deep and broad understanding of the multiple benefits that derive from public lands. Sally Jewell is that person.

Thank you for considering Ms. Jewell’s nomination in a timely fashion. Please do all you can to ensure that she is confirmed at the earliest possible date.

Sincerely,

WILL ROGERS,  
*President and CEO.*

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AMERICAN RECREATION COALITION,  
Washington, DC, March 7, 2013.

Hon. RON WYDEN,  
*Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The American Recreation Coalition supports the President’s nomination of Sally Jewell to lead national conservation and recreation efforts as Secretary of the Interior. Sally is widely respected for her intelligence, her passion and her leadership skills. She has invested heavily with her time as a leader on the America’s Great Outdoors initiative, has supported use of the outdoors as a tool for better health and for stronger, sustainable communities. And she has worked actively through REI, through recreation industry organizations and personally to con-

nect younger, more urban and ethnically diverse Americans to our shared legacy of parks, forests, refuges and other outdoor treasures.

We believe that Sally Jewell's nomination is especially timely because agencies which provide important recreation services to the public will be challenged to continue these services at the quantity and quality expected by the public during a period of fiscal constraint for federal entities. We feel that her experience in the private sector will prove invaluable in assessing actions which will improve the efficiencies of federal programs and which take advantage of significant opportunities for supplementing appropriated resources with other resources. We are attaching for the Committee's use an op ed\* which has appeared in a variety of recreation media describing steps to increase National Park Service resources by at least four times more than the cut mandated by sequestration. We invite the Committee to gain the nominee's reaction to these suggestions.

Sincerely,

DERRICK A. CRANDALL,  
*President.*

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PRAIRIE BAND POTAWATOMI NATION,  
GOVERNMENT CENTER,  
*March 6, 2013.*

Hon. RON WYDEN,  
*Chairman.*

Hon. LISA MURKOWSKI,  
*Ranking Member, U.S. Senate, Committee on Energy and Natural Resources.*

RE: Support for Ms. Sally Jewell for Secretary of the U.S. Department of the Interior

DEAR CHAIRMAN WYDEN, RANKING MEMBER MURKOWSKI, AND MEMBERS OF THE COMMITTEE: The Prairie Band Potawatomi Nation, a sovereign federally-recognized Indian tribe, strongly supports Ms. Sally Jewell's nomination to be the next Secretary of the Department of the Interior (DOI).

As the Committee members know, DOI is tasked with carrying out many of the trust responsibilities that the United States government has to Indian tribes. In light of those sacred responsibilities, and in the tradition of our nation-to-nation relationship with the United States government, Prairie Band Potawatomi Nation believes Ms. Jewell to have the experience to effectively execute the duties of the Secretary of the Interior.

Ms. Jewell's experience in environmental issues, especially in the Pacific Northwest, has often intersected with tribal interests. Ms. Jewell has consistently displayed a deep awareness and understanding of the competing interests in the management of the natural resources and the dependence of our tribal nations on those resources. To tribal nations, our natural resources are of sacred importance to us. Prairie Band Potawatomi Nation believes Ms. Jewell's personal and professional experiences will serve her well in perhaps the most important Cabinet Secretary to sovereign Indian nations.

We strongly urge the Committee to move swiftly to confirm Ms. Jewell to be the next Secretary of the Interior. We look forward to working with Ms. Jewell on the broad range of issues affecting Indian Country, and in overcoming the short and long-term challenges DOI faces in carrying out the trust responsibility, and strengthening our nation-to-nation relationships.

Respectfully,

STEPHEN R. ORTIZ (MON-WAH),  
*Tribal Chairman.*

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U.S. DEPARTMENT OF THE INTERIOR,  
FISH AND WILDLIFE SERVICE,  
*Boise, ID, August 1, 2012.*

Hon. C.L. "BUTCH" OTTER,  
*Governor of Idaho, State Capitol, Boise, ID.*

Subject: Draft Federal Alternative of Governor C.L. 'Butch' Otter for Greater Sage-Grouse Management in Idaho-June 29, 2012

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\* Attachment has been retained in committee files.

DEAR GOVERNOR OTTER: Thank you for your letter of July 13, 2012, regarding your Draft Alternative for Sage-Grouse Management. Let me begin by following up on the trail ride discussion you hosted in June, and reiterate the U.S. Fish and Wildlife Service's (Service) appreciation for your leadership on this important issue. Your staff, the Task Force you appointed, Idaho Department of Fish and Game and the Office of Species Conservation worked diligently to develop a draft state strategy under an aggressive timeline. Their work built on years of effort by many in Idaho, in particular the foundational accomplishments of the local working groups. My staff and I appreciated the opportunity to serve as technical advisors throughout the Task Force process. Your letter requested that the Service provide feedback regarding (1) whether the "management framework —based on a thematic habitat continuum and population metrics" was a sound policy that should move forward, and (2) whether or not the "habitat zones, especially the Core Habitat Zone and Important Habitat Zone" are consistent with the Service's understanding of the most important sage-grouse habitats in the State.

The Service believes the management framework that you have developed provides a sound policy outline from which to build upon to meet the long-term conservation goals of greater sage-grouse in Idaho. The thematic approach based on conservation objectives that are monitored in an adaptive management construct that your framework incorporates, are fundamental attributes of the Service's own approach to strategic conservation (USFWS and USGS 2006). My staff and I look forward to continuing to work with you (and the Bureau of Land Management and U.S. Forest Service as they work through their land management planning processes) to identify and resolve issues that will help solidify the adequacy of this framework, and associated policy, necessary for our 2015 Endangered Species Act listing review.

The Core and Important Habitat Zones, as currently drafted by the Task Force, are indeed among the most important sage-grouse habitats in the State. In identifying these zones, the Task Force had the foresight to address not only the conservation of what are now the most important habitats, but also a means to provide for long-term conservation and restoration of sage-steppe habitat and rangelands in Idaho. Addressing the threats to sage-grouse across jurisdictional boundaries in these areas will be important for our listing review in 2015. Specifically, I look forward to continued conversations regarding how the State will approach implementation of long-term conservation on State and private lands where necessary.

Thank you for the opportunity to provide feedback on the draft alternative. The compressed timeframes which you have worked within to assemble this framework is commendable. In closing, the Service agrees that success in this endeavor hinges on our ability to work with many in a partnership. We look forward to our continued role as one of those partners with you and others to assist the conservation of greater sage-grouse in Idaho. If you have any questions regarding the information provided here please do not hesitate to contact me at 208-378-5243 or Jason Pyron of my staff at 208-685-6958.

Sincerely,

BRIAN T. KELLY, STATE SUPERVISOR,  
*Idaho Field Office.*

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